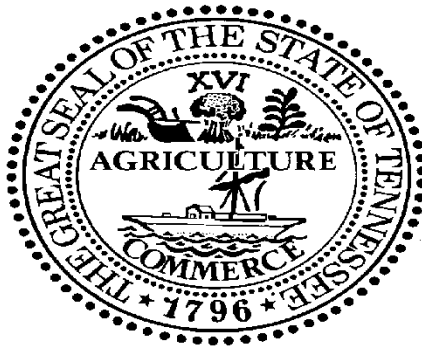


COMPILATION OF ABSTRACTS AND SELECTED SUMMARIES OF
LEGISLATION PASSED BY THE
ONE HUNDRED TENTH GENERAL ASSEMBLY
2018

PREPARED BY:
THE OFFICE OF LEGAL SERVICES
CORDELL HULL BUILDING
NASHVILLE, TENNESSEE 37243



**General Assembly of Tennessee
OFFICE OF LEGAL SERVICES
Cordell Hull Building
Nashville, Tennessee 37243**

June 20, 2018

MEMORANDUM

TO: Members of the One Hundred Tenth General Assembly

FROM: Karen Garrett and Doug Himes, Directors

SUBJECT: Compilation of Abstracts and Selected Summaries of 2018 Legislation

Attached for your information and use are abstracts of the 2018 Public Chapters. This abstract document is available on the Legislative Intranet under "Legal Services" "Documents and Reports" "Abstracts" "2018" and on the General Assembly's website under "Legislation" "Publications."

Please keep in mind that the abstracts and summaries included herein are an overview of the legislation passed during the 2018 legislative session. These abstracts and summaries are not meant as a substitute for reading the actual text of the public chapters.

Please also note the Appendices containing summaries of selected legislation.

KG/DH/lb

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ABSTRACTS OF PUBLIC CHAPTERS PASSED BY THE 110th GENERAL ASSEMBLY IN
2018

- 494** Sunset Laws - As enacted, extends the Tennessee fish and wildlife commission for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 70, Chapter 1, Part 2. (SB1561/HB1559)
- 495** Comptroller, State - As enacted, revises various provisions governing comptroller of the treasury audit and accounting requirements, including the preparation of a uniform audit manual by the comptroller. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 49; Title 54; Title 64 and Title 68. (HB1501/SB1696)
- 496** Environment and Conservation, Department of - As enacted, revises present law provisions regarding local governmental entities that administer a municipal separate storm water system under a national pollutant discharge elimination permit. - Amends TCA Title 4; Title 11; Title 59; Title 60; Title 62; Title 68 and Title 69. (HB362/SB295)
- 497** Naming and Designating - As enacted, names the wrestling room at the Tennessee School for the Blind in honor of Frank Alexander. (SB1469/HB1458)
- 498** Public Funds and Financing - As enacted, clarifies that "balloon indebtedness" under the Local Government Public Obligations Act of 1986 includes the refinancing of a debt that creates a final maturity date that is 31 or more years from the original date of issuance. - Amends TCA Section 9-21-134. (SB1493/HB1490)
- 499** Comptroller, State - As enacted, clarifies that the Local Government Modernization Act of 2005 creates an ongoing, rather than one-time, duty of the comptroller of the treasury to ensure local governments are in compliance with the accounting and financial reporting standards established by the Governmental Accounting Standards Board. - Amends TCA Title 9, Chapter 3, Part 4. (SB1481/HB1500)
- 500** Sunset Laws - As enacted, extends the board of funeral directors and embalmers for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 5, Part 2. (SB1517/HB1611)
- 501** Sunset Laws - As enacted, extends the collateral pool board for eight years to June 30, 2026. - Amends TCA Title 4, Chapter 29 and Title 9, Chapter 4, Part 5. (SB1522/HB1616)
- 502** Sunset Laws - As enacted, extends the commission for uniform legislation for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 9. (SB1524/HB1618)
- 503** Sunset Laws - As enacted, extends the Compact for Education for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 12, Part 2. (SB1525/HB1619)
- 504** Sunset Laws - As enacted, extends the controlled substance database advisory committee for five years to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 53, Chapter 10, Part 3. (SB1526/HB1620)

- 505** Sunset Laws - As enacted, extends the council on children's mental health care for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 37, Chapter 3, Part 1. (SB1527/HB1621)
- 506** Sunset Laws - As enacted, extends the Doe Mountain recreation authority for two years to June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 11, Chapter 25. (SB1535/HB1659)
- 507** Sunset Laws - As enacted, extends the domestic violence state coordinating council for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29, Part 2 and Title 38, Chapter 12. (SB1536/HB1644)
- 508** Sunset Laws - As enacted, extends the housing development agency board of directors for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29, Part 2 and Title 13, Chapter 23, Part 1. (SB1539/HB1647)
- 509** Sunset Laws - As enacted, extends the Interstate Compact for Juveniles for eight years to June 30, 2026. - Amends TCA Title 4, Chapter 29, Part 2 and Title 37, Chapter 4, Part 1. (SB1540/HB1648)
- 510** Sunset Laws - As enacted, extends the Interstate Compact for Supervision of Adult Offenders for eight years to June 30, 2026. - Amends TCA Title 4, Chapter 29, Part 2 and Title 40, Chapter 28, Part 4. (SB1541/HB1649)
- 511** Sunset Laws - As enacted, extends the Interstate Mining Compact for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29, Part 2 and Title 59, Chapter 10. (SB1542/HB1650)
- 512** Sunset Laws - As enacted, removes from entity review the repealed Interstate Nurse Licensure Compact; adds to entity review the newly enacted version of the Interstate Nurse Licensure Compact and sets a termination date of June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 7. (SB1543/HB1651)
- 513** Sunset Laws - As enacted, extends the medical advisory committee for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29, Part 2 and Title 50, Chapter 6. (SB1544/HB1652)
- 514** Sunset Laws - As enacted, extends the medical payment committee for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29, Part 2 and Title 50, Chapter 6. (SB1545/HB1653)
- 515** Sunset Laws - As enacted, extends the post-conviction defender oversight commission for eight years to June 30, 2026. - Amends TCA Title 4, Chapter 29, Part 2 and Title 40, Chapter 30. (SB1546/HB1654)
- 516** Sunset Laws - As enacted, extends the private investigation and polygraph commission for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 26. (SB1547/HB1655)
- 517** Sunset Laws - As enacted, extends the sex offender treatment board for eight years to June 30, 2026. - Amends TCA Title 4, Chapter 29, Part 2 and Title 39, Chapter 13, Part 7. (SB1550/HB1658)
- 518** Sunset Laws - As enacted, extends the statewide community services agency for three years to June 30, 2021. - Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5, Part 3. (SB1554/HB1632)

- 519** Sunset Laws - As enacted, extends the Tennessee board of court reporting for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 20, Chapter 9, Part 6. (SB1556/HB1634)
- 520** Sunset Laws - As enacted, extends the Tennessee central economic authority for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 64, Chapter 5. (SB1559/HB1637)
- 521** Sunset Laws - As enacted, extends the Tennessee heritage conservation trust fund board of trustees for five years to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 11, Chapter 7. (SB1562/HB1639)
- 522** Sunset Laws - As enacted, extends the underground storage tanks and solid waste disposal control board for five years to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 211, Part 1. (SB1566/HB1643)
- 523** Water Pollution - As enacted, repeals the provisions of Chapter 293 of the Public Acts of 2017 that would eliminate the department of environment and conservation's concentrated animal feeding operations (CAFO) operating permit program on March 1, 2018; makes permit mandatory for certain animal feeding operations that use a liquid waste management system and optional for other animal feeding operations; and makes other revisions. - Amends TCA Title 69, Chapter 3, Part 1 and Chapter 293 of the Public Acts of 2017. (SB2217/HB2317)
- 524** Sunset Laws - As enacted, extends the soil scientist advisory committee for two years to June 30, 2020. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 18, Part 2. (SB1551/HB1629)
- 525** Public Records - As enacted, repeals the requirement that the register of each county, once in every year, lay before the county legislative body all the records of the register's office for examination. - Repeals TCA Section 10-7-103. (SB1482/HB1538)
- 526** Taxes, Real Property - As enacted, removes requirement that a city lying in more than one county be reappraised under a separate plan of reappraisal. - Amends TCA Section 67-5-1601(b). (SB1484/HB1670)
- 527** Taxes, Ad Valorem - As enacted, removes requirement that a property owner seeking exemption of certain property from ad valorem taxation from the state board of equalization file an application for each parcel for which exemption is sought; deletes the requirement that the county assessor of property submit a record of the county board of equalization's changes to the state board of equalization. - Amends TCA Title 67, Chapter 5. (SB1485/HB1502)
- 528** County Government - As enacted, specifies that, in the event of a discrepancy between the map showing the districts from which members of the legislative body are elected and the typed or printed description of those boundaries, the map is the controlling document. - Amends TCA Section 5-1-110. (SB1508/HB1537)
- 529** Public Funds and Financing - As enacted, requires industrial development corporations to maintain a listing of debt obligations and file the listing with the state funding board. - Amends TCA Section 7-53-304. (SB1516/HB1504)
- 530** Sunset Laws - As enacted, extends the board of nursing for three years to June 30, 2021. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7, Part 2. (SB1518/HB1612)

- 531** Sunset Laws - As enacted, extends the board of pharmacy for five years to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 10, Part 3. (SB1520/HB1614)
- 532** Sunset Laws - As enacted, extends the collection service board for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 20. (SB1523/HB1617)
- 533** Sunset Laws - As enacted, extends the real estate appraiser commission for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 39. (SB1548/HB1656)
- 534** Sunset Laws - As enacted, extends the Tennessee auctioneer commission for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29 and Title 62, Chapter 19. (SB1555/HB1633)
- 535** Courts, Juvenile - As enacted, specifies that service of process for juvenile court proceedings may be completed by any individual authorized to serve process under the Rules of Civil Procedure or the Rules of Juvenile Procedure, including, but not limited to, a sheriff, constable, or private process server. - Amends TCA Title 8, Chapter 8; Title 36 and Title 37. (SB1645/HB1529)
- 536** Statutes and Codification - As enacted, codifies the Acts of the 2017 regular session. (SB1650/HB1585)
- 537** Schools, Charter - As enacted, requires that the location of a charter school be within the jurisdictional boundaries of the authorizing LEA; requires a charter school to seek a delay in opening if the charter school has not secured a physical location 60 days prior to the opening of the charter school. - Amends TCA Title 49, Chapter 13, Part 1. (SB1664/HB1570)
- 538** Driver Licenses - As enacted, permits a stay of driver license revocation for nonpayment of fines and costs for more than the current 180 days if the applicant for the stay is a participant in a recovery court. - Amends TCA Section 40-24-105. (SB1721/HB1721)
- 539** Education, State Board of - As enacted, changes the term of the chair of the state board of education from four years to two years. - Amends TCA Section 49-1-301(b). (SB1782/HB1720)
- 540** Public Funds and Financing - As enacted, adds debit card fraud to the definition of unlawful conduct that must be reported to the comptroller of the treasury; adds certain certified public accountants and firms to those with a duty to report unlawful conduct to the comptroller; removes immunity from those reporters who knowingly provide false information. - Amends TCA Title 8, Chapter 4, Part 5. (HB1536/SB1486)
- 541** Taxes, Exemption and Credits - As enacted, creates exemptions from sales tax, registration fee, and motor vehicle privilege tax, for any motor vehicle sold to a veteran or service member who has a service-connected disability and who is eligible for a United States department of veterans affairs automobile grant under the Disabled Veterans' and Servicemen's Automobile Assistance Act of 1970; limits sales and use tax exemption to portion of price that is in excess of the amount of the grant received. - Amends TCA Section 5-8-102; Title 55, Chapter 4 and Title 67, Chapter 6. (HB15/SB10)

- 542** Criminal Procedure - As enacted, authorizes general sessions and criminal court judges statewide to suspend court costs and litigation tax for indigent defendants; authorizes court clerk to implement community service program in lieu of full payment of court costs and litigation taxes for indigent defendants, if county legislative body approves such a program. - Amends TCA Section 8-21-401; Title 40, Chapter 25 and Title 67, Chapter 4, Part 6. (HB1479/SB1504)
- 543** Libraries - As enacted, renames the regional library for the blind and physically handicapped to the regional library for accessible books and media; updates antiquated language regarding persons with disabilities within statutory provisions relative to the state library system. - Amends TCA Title 10, Chapter 1, Part 1. (HB1702/SB1513)
- 544** Public Contracts - As enacted, enacts the Contract Accountability and Responsible Employment (CARE) Act." - Amends TCA Title 3; Title 4; Title 9 and Title 12. (SB1047/HB944)
- 545** Open Meetings - As enacted, replaces a reference to a repealed federal law with a reference to, and language from, the present federal statute. - Amends TCA Section 8-44-102. (SB1483/HB1834)
- 546** Education, Higher - As enacted, requires public higher education institutions in this state to adopt a policy to allow American sign language courses to satisfy any foreign language requirements for admission to an undergraduate degree program. - Amends TCA Title 49, Chapter 8 and Title 49, Chapter 9. (SB1514/HB1533)
- 547** Criminal Offenses - As enacted, makes changes to definitions and descriptions of conduct for which new home contractors and home improvement services providers may bear civil and criminal responsibility. - Amends TCA Title 39, Chapter 14. (SB1734/HB1771)
- 548** Senior Citizens - As enacted, requires the commission on aging and disabilities to design and oversee a resource mapping of federal, state, and nongovernmental resources and funding streams that support the health, safety, and welfare of persons 60 years of age or older. - Amends TCA Title 71, Chapter 2. (SB1777/HB1750)
- 549** Criminal Procedure - As enacted, removes existing references to "felony" thefts of amounts less than \$1,000 from the definition of a non-violent property offense to align with changes made to theft valuations in the Public Safety Act of 2016, under which such thefts are misdemeanors. - Amends TCA Section 40-35-122. (SB2118/HB2103)
- 550** Banks and Financial Institutions - As enacted, extends from July 1, 2018, to July 1, 2020, the provisions permitting a domestic holding company to organize a credit card state bank. - Amends TCA Title 45, Chapter 2, Part 19. (SB2157/HB1900)
- 551** Accountants - As enacted, lowers the age of inactive licensees who may not have to pay a renewal fee pursuant to rules from over 70 years of age to 65 years of age and older. - Amends TCA Title 62, Chapter 1. (SB2471/HB1724)
- 552** Education - As enacted, requires local education agencies to use at least one alternative growth model that has been approved by the board of education for evaluation of teachers in non-tested grades and subjects; requires the department of education to develop alternative student growth models for grade levels and subjects that do not have growth models. - Amends TCA Section 49-1-302. (HB67/SB250)

- 553** Education - As enacted, requires that each student in grades K-8 be given an individual Scholars Summer Guide prior to the last day of the school year. - Amends TCA Title 49, Chapter 6. (HB902/SB730)
- 554** Education - As enacted, clarifies that a school may satisfy the summer programming requirement for qualification for a community schools grant by providing four weeks of summer programming during consecutive or nonconsecutive weeks. - Amends TCA Title 49, Chapter 6, Part 24. (HB1227/SB1065)
- 555** Motor Vehicles - As enacted, increases, from \$400 to \$1,500, the minimum property damage threshold for which a motor vehicle accident requires a written report to be filed with the department of safety, except in cases of damage to state or local government property; increases, from \$500 to \$1,500, the property damage threshold differentiating a Class B misdemeanor from a Class A misdemeanor for the offense of leaving the scene of an accident. - Amends TCA Title 55, Chapter 10 and Title 55, Chapter 12. (HB1515/SB1694)
- 556** County Government - As enacted, authorizes a county board of public utilities in a county with a central purchasing authority, at the discretion of the governing body of the county, to make purchases relating to urban type public facilities in accordance with purchasing policies approved by the governing body of the county. - Amends TCA Section 5-16-105. (HB1517/SB1810)
- 557** Education - As enacted, prohibits alterations to a student's transcript unless the LEA, charter school, or virtual school has a written policy governing transcript alterations; prohibits an LEA from retaliating against an employee who brings unauthorized transcript alterations to the attention of school officials; provides penalty for violation. - Amends TCA Title 49, Chapter 50 and Title 49, Chapter 6. (HB1527/SB1624)
- 558** Lottery, Scholarships and Programs - As enacted, allows the treasurer, comptroller, secretary of state, commissioner of finance and administration, and the chairs of the finance, ways and means committees to have designees serve as trustees for the Tennessee Promise scholarship endowment fund. - Amends TCA Section 49-4-708. (HB1682/SB2209)
- 559** Parks, Natural Areas Preservation - As enacted, revises provisions governing the manner in which boundary areas are established for scenic rivers. - Amends TCA Title 11, Chapter 13. (SB696/HB430)
- 560** Child Custody and Support - As enacted, adds as a ground on which termination of parental rights may be based the fact that the parent or legal guardian has been convicted of attempted first degree murder or attempted second degree murder of the child's other parent or legal guardian; revises provisions regarding similar ground based on civil liability or conviction for intentional and wrongful death. - Amends TCA Section 36-1-113. (SB1608/HB1546)
- 561** Correction, Dept. of - As enacted, extends from June 30, 2018, to June 30, 2019, the repeal date for the provision allowing the commissioner of correction to extend the limitation period for claims against the state for the payment of costs and fees by an additional six months. - Amends Chapter 85 of the Public Acts of 2017. (SB1610/HB1725)

- 562** Children's Services, Dept. of - As enacted, requires the department to maintain case manager staffing levels so that case manager caseloads do not exceed an average of 20 active cases relating to initial assessments or an average of 20 children monitored and supervised per case manager. - Amends TCA Title 37, Chapter 5. (SB1168/HB972)
- 563** Sunset Laws - As enacted, extends the bureau of workers' compensation for six years to June 30, 2024. - Amends TCA Title 4, Chapter 29; Title 4, Chapter 3, Part 14 and Title 50, Chapter 6. (SB1521/HB1615)
- 564** Sunset Laws - As enacted, extends the department of agriculture for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1528/HB1622)
- 565** Sunset Laws - As enacted, extends the department of human services for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1530/HB1624)
- 566** Sunset Laws - As enacted, extends the department of tourist development for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1533/HB1627)
- 567** Sunset Laws - As enacted, extends the department of veterans services for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1534/HB1628)
- 568** Lottery, Charitable - As enacted, requires selection of an alternate prize winner within 30 days of the date of notice of an ineligible winner. - Amends TCA Title 3, Chapter 17. (SB1600/HB1669)
- 569** Local Education Agencies - As enacted, authorizes local education agencies to establish recovery high schools. - Amends TCA Title 49, Chapter 6, Part 4. (SB1626/HB1460)
- 570** Telecommunications - As enacted, authorizes a cooperative to access certain property for purposes of supplying telecommunications and broadband internet services. - Amends TCA Title 65. (SB1646/HB1591)
- 571** Tennessee Bureau of Investigation - As enacted, authorizes the director of the TBI to appoint a designee to serve in place of the director as a member of the medical investigator advisory council instead of requiring that the director serve as a member of the council. - Amends TCA Section 38-7-201(a)(2)(A)(i). (SB1775/HB1484)
- 572** Autopsies - As enacted, changes the period of time within which a facility that performs autopsies must be accredited; clarifies that non-accredited facilities may perform autopsies under certain circumstances. - Amends TCA Section 38-7-105. (SB1802/HB1550)
- 573** Teachers, Principals and School Personnel - As enacted, exempts certain supervisors, principals, and public school teachers from having to take an assessment to advance or renew a teaching license under certain circumstances. - Amends TCA Title 49, Chapter 1 and Title 49, Chapter 5. (SB1804/HB1549)
- 574** Purchasing and Procurement - As enacted, authorizes a local government to execute a cooperative purchasing agreement with other local, state, and federal governmental entities for purposes of purchasing farm tractors, mowers, earth-moving and

- construction machinery, and similar machinery and equipment; provided, that a local government does not have the authority to purchase construction machinery under a cooperative purchasing agreement with an agency of the United States. - Amends TCA Section 12-3-1205. (SB1906/HB1803)
- 575** Business Organizations - As enacted, revises various provisions of the Uniform Limited Partnership Act. - Amends TCA Title 61. (SB1942/HB1916)
- 576** Pensions and Retirement Benefits - As enacted, designates board of trustees for the Tennessee consolidated retirement system instead of the consolidated retirement board as serving among the trustees for the optional retirement program; makes various revisions to the administration of deferred or tax-sheltered compensation plans for state employees. - Amends TCA Title 8, Chapter 25, Part 1 and Title 8, Chapter 25, Part 2. (SB2016/HB2126)
- 577** Safety, Dept. of - As enacted, permits the department to toll the mandatory 365 consecutive day period during which certain motor vehicles are required to be equipped with a functioning ignition interlock device if the motor vehicle is inoperable based on specified reasons. - Amends TCA Section 55-10-419(g) and Section 55-10-425. (SB2253/HB1828)
- 578** Holidays and Days of Special Observance - As enacted, designates the last full week of February each year as "Tennessee Songwriters Week." - Amends TCA Title 15, Chapter 2. (SB2254/HB1829)
- 579** Criminal Procedure - As enacted, prohibits the nonpayment of county jail fees as a basis for the revocation of a person's driver license. - Amends TCA Title 8, Chapter 26, Part 1; Section 40-24-105 and Title 41, Chapter 11, Part 1. (SB2384/HB2187)
- 580** Insurance Companies, Agents, Brokers, Policies - As enacted, revises various provisions relative to surplus lines insurance. - Amends TCA Title 56, Chapter 14. (SB2510/HB2094)
- 581** Census - As enacted, corrects reference for the 2000 census; adds reference for the 2010 census; rewrites provisions concerning use of census data in the establishment and consolidation of precincts; deletes antiquated references. - Amends TCA Section 1-3-116 and Section 2-3-102. (SB2521/HB2234)
- 582** Insurance Companies, Agents, Brokers, Policies - As enacted, removes the requirement that a domestic insurer maintain reserve for unearned risk rates on contract of title insurance. - Amends TCA Title 8 and Title 56. (SB2529/HB2261)
- 583** Boards and Commissions - As enacted, deletes blood quantum requirement for membership on the archaeological advisory council. - Amends TCA Title 11, Chapter 6. (SB2714/HB1957)
- 584** Lottery, Charitable - As enacted, extends application deadline for the 2017-2018 annual event period for five days after this act becomes law; requires payment of a \$50.00 initial application fee at the time of submission of an annual event application and payment of the remainder of the application fee when the financial accounting is filed within 90 days after the event date. - Amends TCA Title 3, Chapter 17, Part 1. (SB1509/HB1447)
- 585** Motor Vehicles - As enacted, broadens the definitions of "all-terrain vehicle" and "Class 1 off-highway vehicle" to include vehicles less than 2,500 pounds, instead of

- 1,500 pounds; makes other related revisions. - Amends TCA Title 11; Title 47 and Title 55. (HB1683/SB1832)
- 586** Domestic Violence - As enacted, removes the authority of a magistrate to issue a temporary order of protection to the victim upon the arrest of a person for a domestic violence offense and replaces it with the requirement that, upon a finding that the arrested person is a safety threat to the alleged victim, the magistrate impose conditions of bail designed to protect the alleged victim. - Amends TCA Title 36, Chapter 3, Part 6; Title 40, Chapter 11, Part 1 and Section 40-32-101. (HB1719/SB1735)
- 587** Safety - As enacted, rewrites examination requirements for chief, deputy, and special boiler inspectors. - Amends TCA Title 68, Chapter 122, Part 1. (HB1826/SB2251)
- 588** Insurance Companies, Agents, Brokers, Policies - As enacted, imposes certain rules of construction when interpreting an insurer's responsibilities under a policy of insurance; limits an insurer's duty to defend based on the allegations in the underlying complaint. - Amends TCA Title 56. (HB1977/SB1862)
- 589** Holidays and Days of Special Observance - As enacted, designates August 18 of each year as "Febb Burn Day" to honor her role in the enfranchisement of women. - Amends TCA Title 15, Chapter 2. (HB2169/SB2167)
- 590** Pensions and Retirement Benefits - As enacted, requires that certain pension stabilization reserve trusts for state employees and teachers be used exclusively for participants and beneficiaries of the retirement plans; makes other related revisions. - Amends TCA Title 9, Chapter 4, Part 10; Title 9, Chapter 4, Part 11 and Title 9, Chapter 4, Part 12. (SB1647/HB1592)
- 591** Business and Commerce - As enacted, recognizes the legal authority to use distributed ledger technology and smart contracts in conducting electronic transactions; protects ownership rights of certain information secured by distributed ledger technology. - Amends TCA Title 12; Title 47; Title 48; Title 61 and Title 66. (SB1662/HB1507)
- 592** Education - As enacted, specifies that excess instructional time may be used for individualized education program team meetings and school-wide or system-wide instructional planning meetings; requires proposals for use of excess time for instructional planning meetings to be approved by the commissioner of education. - Amends TCA Section 49-6-3004. (SB1663/HB1699)
- 593** Mental Illness - As enacted, adds community mental health centers to definition of healthcare organization in order to add them to quality improvement committees. - Amends TCA Title 33; Title 63 and Title 68. (SB1718/HB1795)
- 594** Sunset Laws - As enacted, extends the dyslexia advisory council for two years to June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 1, Part 2. (SB1537/HB1645)
- 595** Consumer Protection - As enacted, prohibits a consumer report agency from charging a Tennessee consumer to place, temporarily lift, or permanently remove a security freeze and removes all such fees authorized by state law. - Amends TCA Title 47. (HB1486/SB2470)

- 596** Domestic Violence - As enacted, redefines when a judge must notify a defendant who has been convicted of domestic assault of certain consequences of conviction from the federal law domestic abuse definition to both the federal and Tennessee law definitions. - Amends TCA Section 39-13-111. (HB1675/SB1643)
- 597** Garnishments and Executions - As enacted, requires that the form garnishment notice be changed to conform to existing law that specifies a garnishment creates a lien on earnings until the judgment is satisfied, or for six months, whichever occurs first. - Amends TCA Section 26-2-216. (HB1784/SB1716)
- 598** Victims' Rights - As enacted, updates victim notification requirements and procedures to reflect establishment of electronic victim notification system. - Amends TCA Title 40 and Title 41. (HB1811/SB2235)
- 599** Firearms and Ammunition - As enacted, prevents a municipality from charging a person with a violation of any ordinance prohibiting discharging a firearm within the municipal limits if the person acted in justifiable self-defense or to prevent the commission of a criminal offense when discharging the firearm. - Amends TCA Section 39-17-1322. (HB1851/SB1910)
- 600** Interest Rates - As enacted, changes the application of interest rates to the amount financed instead of the total amount of the loan with regard to certain loans made by industrial loan and thrift companies. - Amends TCA Title 45, Chapter 5. (HB1944/SB2462)
- 601** Naming and Designating - As enacted, designates new department of agriculture building in Davidson County as "Julius T. Johnson Metrology Laboratory." (HB1970/SB1939)
- 602** Tennessee Higher Education Commission - As enacted, clarifies certain code references to account for the state university boards established by the FOCUS Act; reduces the number of student members on the higher education commission to a single voting member and revises the nominating process for that student member; removes the alumni requirement for appointments to the board of regents. - Amends TCA Section 8-30-102; Section 8-36-714; Section 8-50-809; Section 49-7-206; Section 49-7-211; Section 49-8-201; Title 49, Chapter 7, Part 1; Section 49-7-1003 and Section 49-7-204. (HB2123/SB2619)
- 603** State Symbols - As enacted, designates Here's the Beef Festival as official state beef festival. - Amends TCA Title 4, Chapter 1, Part 3. (HB2128/SB2562)
- 604** Local Government, General - As enacted, allows a municipal legislative body to authorize, by ordinance passed by 2/3 vote, a member of the body who is deployed for 13 months or less while serving as a member to attend and vote in sessions through the use of two-way electronic audio-video communication during the deployment. - Amends TCA Title 5; Title 6; Title 7 and Title 8. (HB2294/SB1959)
- 605** Guardians and Conservators - As enacted, redefines "least restrictive alternatives" for purposes of supported decision making agreements. - Amends TCA Title 34. (SB264/HB941)
- 606** Motor Vehicles, Titling and Registration - As enacted, authorizes persons to display evidence of vehicle registration in electronic formats through the use of cell phones and other electronic devices. - Amends TCA Title 55, Chapter 12; Title 55, Chapter 3 and Title 55, Chapter 4. (SB727/HB1263)

- 607** Senior Citizens - As enacted, exempts certain religious organizations and religious institutions that provide limited respite care services programs from licensure for providing adult day care. - Amends TCA Title 71. (SB1487/HB1498)
- 608** Consumer Protection - As enacted, revises provisions governing the use of tanning devices by minors. - Amends TCA Title 68, Chapter 117, Part 1. (SB1495/HB1489)
- 609** Education, Curriculum - As enacted, requires that instruction on the detection, intervention, prevention, and treatment of child sexual abuse be provided as part of a family life curriculum; provides immunity from a cause of action for such instruction provided by teachers employed by the LEA and certain other instructors in certain circumstances. - Amends TCA Section 37-1-603 and Title 49, Chapter 6, Part 13. (SB1510/HB2164)
- 610** Medical Occupations - As enacted, revises terminology used to describe the relationship of physicians to advanced practice registered nurses and physician assistants; specifies that a licensed physician with whom a physician assistant collaborates has the duty to assure that the activities of the physician assistant are appropriate; revises other related provisions. - Amends TCA Title 38; Title 53; Title 55; Title 56; Title 63 and Title 68. (SB1515/HB2239)
- 611** Administrative Procedure (UAPA) - As enacted, requires agencies, when statutorily required to hold a public hearing as part of their rulemaking process, to make copies of the rule available in redline form to persons in attendance at the hearing. - Amends TCA Title 4, Chapter 5, Part 2. (SB1573/HB2437)
- 612** Ethics - As enacted, clarifies that a state university board president must file a statement of disclosure of interests form with the Tennessee Ethics Commission. - Amends TCA Section 8-50-501. (SB1591/HB1561)
- 613** Public Records - As enacted, revises provisions governing the confidentiality of records maintained by shelters, centers, and human trafficking service providers. - Amends TCA Section 10-7-504 and Section 36-3-623. (SB1656/HB1849)
- 614** Education, Higher - As enacted, enacts the "Tuition Transparency and Accountability Act." - Amends TCA Title 49, Chapter 11; Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9. (SB1665/HB1684)
- 615** Pharmacy, Pharmacists - As enacted, authorizes a pharmacist in this state to dispense, in good faith, to a patient without proper authorization or a valid prescription the number of dosages of a prescription drug necessary to allow the patient to secure proper authorization or a valid prescription from the patient's prescriber; limits the amount of a prescription drug dispensed under this amendment to a 20-day supply. - Amends TCA Title 53; Title 58 and Title 63, Chapter 10. (SB1670/HB1695)
- 616** Finance and Administration, Dept. of - As enacted, requires that all out-of-state travel expenditures made by executive level employees be posted on the state website, not just expenditures for which reimbursements are made. - Amends TCA Title 4, Chapter 3, Part 10. (SB1729/HB2270)
- 617** Pharmacy, Pharmacists - As enacted, specifies that a medication therapy management program involves "pharmacist-provided" services. - Amends TCA Title 63, Chapter 10. (SB1774/HB1874)

- 618** Hospitals and Health Care Facilities - As enacted, adds mental health hospitals licensed under title 33 to requirement for hospitals to report claims data to the commissioner of health. - Amends TCA Section 68-1-108. (SB1776/HB1678)
- 619** District Attorneys - As enacted, requires district attorneys general to annually report the number of reports of a person who appeared to be suffering from or to have been the victim of female genital mutilation to the senate judiciary committee and the criminal justice committee of the house of representatives. - Amends TCA Title 38; Title 39; Title 63 and Title 68. (SB1800/HB2240)
- 620** Judges and Chancellors - As enacted, requires the municipal judges conference to provide educational seminars or training for the judges attending the annual meeting and provides that the expenses for judges attending the annual meeting be paid by the administrative office of the courts rather than the municipality in which the judge presides. - Amends TCA Title 17, Chapter 3. (SB1815/HB1743)
- 621** Remedies and Special Proceedings - As enacted, allows a cause of action for any affected person who seeks declaratory and injunctive relief in any action brought regarding the legality or constitutionality of a governmental action, but such action does not include damages. - Amends TCA Title 1, Chapter 3. (SB1870/HB1949)
- 622** Schools, Charter - As enacted, specifies that the state board of education is the LEA for those charter schools that it authorizes; requires that the state board receive from the department of education or from the LEA in which the charter school is located, as appropriate, an amount equal to the per student state and local funds received by the department or the LEA in which the charter school is located for the students enrolled in a charter school authorized by the state board. - Amends TCA Title 49, Chapter 2; Title 49, Chapter 1; Title 49, Chapter 13 and Title 49, Chapter 3. (SB1899/HB2430)
- 623** Insurance Companies, Agents, Brokers, Policies - As enacted, excludes from the definition of "pre-need funeral contract" and regulation, as a contract of insurance, a travel protection agreement for the coordination and arranging of all professional services related to the preparation for the purpose of transportation and subsequent transportation of a dead human body. - Amends TCA Title 56 and Title 62, Chapter 5, Part 4. (SB1973/HB2179)
- 624** Consumer Protection - As enacted, revises various provisions relative to price gouging. - Amends TCA Title 47, Chapter 18. (SB1995/HB2037)
- 625** Local Education Agencies - As enacted, extends homebound instruction to all students, instead of only pregnant students, who have a medical condition that prevents the student from attending regular classes. - Amends TCA Title 49, Chapter 10, Part 11. (SB2017/HB2231)
- 626** Hospitals and Health Care Facilities - As enacted, requires the department of health to recognize ST-elevation myocardial infarction (STEMI) receiving and STEMI referring hospitals; requires ambulance services to develop and implement pre-hospital care protocol plans related to the assessment, treatment, and transport of STEMI heart attack patients; enacts related provisions. - Amends TCA Title 68, Chapter 11 and Title 68, Chapter 140. (SB2071/HB2209)
- 627** Housing - As enacted, adds Goodlettsville to governing bodies authorized to adopt ordinances to inspect residential rental dwelling units that are either deteriorated or

in the process of deteriorating for compliance with applicable codes. - Amends TCA Section 13-21-314. (SB2096/HB2010)

- 628** State Government - As enacted, deletes various reports required from the Tennessee higher education commission (THEC) and the department of transportation; changes the due date for THEC's annual report on the lottery scholarship program from March 15 to October 1. - Amends TCA Title 4, Chapter 3, Part 23; Title 49, Chapter 1, Part 3; Title 49, Chapter 4, Part 9 and Title 49, Chapter 7, Part 2. (SB2101/HB2311)
- 629** Workers Compensation - As enacted, allows farm and agricultural employers to accept the Workers' Compensation Law by purchasing a workers' compensation insurance policy; allows a farm or agricultural employer to withdraw acceptance of the Law at any time by canceling or not renewing the policy and providing notice to its employees. - Amends TCA Section 50-6-106. (SB2141/HB2105)
- 630** Public Records - As enacted, narrows the public records exception for records of the department of environment and conservation concerning radioactive materials to those records that are confidential under federal law, regulation, or guidance, or nuclear regulatory commission regulatory issue summary; classifies as confidential records relating to the location of a historical site or artifact when necessary to prevent damage to the site, artifact, or private property. - Amends TCA Section 11-1-102. (SB2239/HB1815)
- 631** Public Funds and Financing - As enacted, authorizes, under certain circumstances, other post-employment benefits to be paid to local education agency employees who participate in the state's investment trust; makes other related revisions. - Amends TCA Title 8, Chapter 27. (SB2241/HB1817)
- 632** Trusts - As enacted, expands the persons to whom a private trust company may do business with and limits the ability of the commissioner of financial institutions to modify or revoke certain exemptions granted to a private trust company. - Amends TCA Title 45, Chapter 1 and Title 45, Chapter 2, Part 20. (SB2242/HB1818)
- 633** Public Records - As enacted, clarifies that individually identifiable health information collected, created, or prepared by the department of health is not open for public inspection. - Amends TCA Title 10, Chapter 7. (SB2246/HB2113)
- 634** Regional Authorities and Special Districts - As enacted, establishes executive director of the Greater Nashville Regional Council as the secretary of the council; makes other revisions to the membership and governance of the council. - Amends TCA Title 64, Chapter 7. (SB2342/HB2621)
- 635** Animal Control - As enacted, gives agencies that operate shelters from which animals are adopted or reclaimed the option of using the forfeited spay/neuter deposit fund to defray operational expenses of programs the agency operates, provided the agency has a forfeited deposit fund balance of at least the total of the last six months of forfeited deposits collected. - Amends TCA Section 44-17-503. (SB2468/HB1991)
- 636** Pest Control - As enacted, repeals requirement that pest control businesses include their charter numbers in all printed advertisements. - Amends TCA Title 62, Chapter 21. (SB2472/HB1530)
- 637** Election Laws - As enacted, reduces from 90 days to 60 days the period before a qualifying deadline for elective office during which nominating petitions may be issued by an administrator, deputy, county election commissioner, or employee of the

- coordinator's office, other than nominating petitions for the offices of the President of the United States and delegates to the national conventions of all statewide political parties. - Amends TCA Section 2-5-102. (SB2497/HB1933)
- 638** Consumer Protection - As enacted, prohibits health care prescribers from certain types of solicitation within 30 days of an accident or disaster. - Amends TCA Title 63, Chapter 1, Part 1. (SB2514/HB1879)
- 639** Insurance Companies, Agents, Brokers, Policies - As enacted, requires an individual who fails to pass the examination required for an insurance producer license to wait at least 10 days before reapplying to take the examination a second time, and 30 days before reapplying to take the examination for any subsequent attempt. - Amends TCA Title 56. (SB2530/HB2282)
- 640** Local Education Agencies - As enacted, enacts the "National Motto in the Classroom Act," which requires each local education agency to display the national motto, "In God We Trust," in a prominent location in each school. - Amends TCA Title 49, Chapter 6. (SB2661/HB2368)
- 641** Tennessee Fish & Wildlife Commission - As enacted, authorizes the commission to promulgate rules to allow for the use of dogs in tracking and recovering injured or deceased deer. - Amends TCA Title 70, Chapter 4. (SB2667/HB2671)
- 642** Unemployment Compensation - As enacted, revises various provisions relative to the unemployment compensation fund. - Amends TCA Title 50, Chapter 7. (HB1825/SB2250)
- 643** Sexual Offenders - As enacted, defines "playground" for purposes of sexual offender restrictions as any indoor or outdoor facility that is intended for recreation of children and owned by the state, a local government, or a not-for-profit organization. - Amends TCA Title 39 and Title 40. (HB1947/SB1920)
- 644** Insurance Companies, Agents, Brokers, Policies - As enacted, authorizes nonprofit dental service plan corporations that only provide dental plans and policies in this state to provide plans for vision services as well as dental services under certain conditions. - Amends amend TCA Title 56. (HB2396/SB2659)
- 645** Motor Vehicles - As enacted, allows personal vehicle operated by a transportation network company driver to display one or more removable, illuminated, interior trade dress devices in any color other than red or blue, or in any combination of colors other than red or blue, that is issued by a transportation network company and that assists passengers in identifying and communicating with transportation network company drivers. - Amends TCA Title 55, Chapter 8 and Title 55, Chapter 9, Part 4. (HB2642/SB2351)
- 646** Utilities, Utility Districts - As enacted, clarifies that for the audited financial reports of certain self-sufficient utilities, non-cash charges arising from changes to or the implementation of pension and other post-employment benefit standards promulgated by the GASB are excluded when determining a change in net position. - Amends TCA Section 7-82-401 and Section 68-221-1010. (SB1924/HB2178)
- 647** Education, Higher - As enacted, requires state institutions of higher education to grant an excused absence to military reserve or national guard personnel for an absence due to mandatory military service; requires state institutions of higher education to permit military reserve and national guard personnel to withdraw or

- receive a grade of incomplete in any course if the service member is called to active duty while enrolled. - Amends TCA Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9.(SB1925/HB2050)
- 648** Employees, Employers - As enacted, specifies that a marketplace contractor of a marketplace platform is not an employee of the marketplace platform. - Amends TCA Title 50; Title 56 and Title 62. (SB1967/HB1978)
- 649** Public Health - As enacted, revises the distance parameter for the prohibition on a hypodermic syringe exchange program being operated within 2,000 feet of a school or park to make the parameter 1,000 feet in Nashville/Davidson County and in Chattanooga, Knoxville, and Memphis. - Amends TCA Title 68. (SB1977/HB2180)
- 650** Alcoholic Beverages - As enacted, authorizes the manufacturing of intoxicating liquors and drinks in Lenoir City. - Amends TCA Title 57. (SB2003/HB1948)
- 651** Funeral Directors and Embalmers - As enacted, extends registration period for apprentice funeral directors, apprentice embalmers, and mortuary school students, from two to three years, or until the registrant has completed the apprenticeship requirements, whichever occurs first. - Amends TCA Section 62-5-312.(SB2046/HB1979)
- 652** Game and Fish Laws - As enacted, authorizes a person who possesses a valid wildlife rehabilitation permit issued by the agency to receive skunks from the wild for the purposes of rehabilitation and release only. - Amends TCA Section 70-4-208 and Section 70-4-404. (SB2098/HB1994)
- 653** Sunset Laws - As enacted, extends the Tennessee bureau of investigation three years to June 30, 2021; requires the bureau to report back to the committee concerning the findings in its 2018 performance audit report. - Amends TCA Title 4, Chapter 29, Part 2 and Title 38, Chapter 6. (SB2150/HB1951)
- 654** Public Funds and Financing - As enacted, authorizes commissioner of education and state treasurer, instead of the state board of education, to establish operational guidelines for the expenditure of the income from the special trust fund for education; makes other related revisions to the Volunteer Public Education Trust Fund Act of 1985. - Amends TCA Title 49, Chapter 3, Part 4. (SB2193/HB2318)
- 655** Hospitals and Health Care Facilities - As enacted, revises and expands provisions governing suspension of admissions to certain healthcare facilities under certain circumstances; revises other provisions governing healthcare facilities. - Amends TCA Title 63 and Title 68. (SB2244/HB1820)
- 656** Taxes - As enacted, establishes a method of apportionment that may be elected by financial asset management companies for franchise and excise tax purposes. - Amends TCA Title 67, Chapter 4, Part 20 and Title 67, Chapter 4, Part 21. (SB2256/HB2112)
- 657** Education, Higher - As enacted, enacts the University of Tennessee Focusing on Campus and University Success (FOCUS) Act; reconstitutes the board of trustees of the University of Tennessee and revises other related provisions. - Amends TCA Title 4, Chapter 29 and Title 49, Chapter 9. (SB2260/HB2115){**Appendix "A"**}

- 658** Motor Vehicles - As enacted, expands the list of highways on which the operation of off-highway vehicles is authorized in Anderson County. - Amends TCA Section 55-8-185. (SB2264/HB2581)
- 659** Regional Authorities and Special Districts - As enacted, removes the requirement that each metropolitan planning organization's policy board ensures that the votes for any local government official be equally weighted and not based on population. - Amends TCA Section 64-8-301. (SB2425/HB2362)
- 660** Public Health - As enacted, establishes order of priority of entities to be awarded funds that become available to the department of health for family planning programs, in excess of funds needed to operate family planning programs in county or district health departments. - Amends TCA Section 68-34-105. (SB2494/HB2262)
- 661** Pensions and Retirement Benefits - As enacted, specifies that nothing in the present law that applies generally to post-employment benefits for public officers and employees prohibits a local education agency from participating in any other post-employment benefits investment trust created pursuant to the Other Post-Employment Benefit Investment Trust Act of 2006. - Amends TCA Title 8. (SB2508/HB2093)
- 662** Industrial Development - As enacted, renames the Tennessee Technology Development Corporation by adding the designation "dba Launch Tennessee"; revises the purpose and functions of the corporation; increases, from three to seven years, the period during which commercial and financial information received by the corporation from an applicant remains confidential. - Amends TCA Title 4, Chapter 14, Part 3. (SB2648/HB2216)
- 663** Religion and Religious Organizations - As enacted, extends the prohibition on a governmental entity, other than a court, subpoenaing a clergy member's sermon or notes for use in a civil or administrative action to also include a prohibition on compelling a clergy member to testify regarding a sermon. - Amends TCA Section 4-1-407 and Title 24. (SB2679/HB2683)
- 664** Housing - As enacted, extends protections and immunities available under state law for housing authorities to entities that an authority or an entity affiliated with an authority may form, incorporate, or partner with, for purposes of managing or developing mixed-finance housing projects. - Amends TCA Title 13, Chapter 20, Part 1. (SB2685/HB1766)
- 665** Driver Licenses - As enacted, requires a person to establish proof of United States citizenship; lawful permanent resident status; or, in the case of a temporary driver license, a specified period of authorized stay in the United States, if the person, for purposes of obtaining a Tennessee driver license, presents a driver license from another state that issues driver licenses to illegal aliens. - Amends TCA Title 55, Chapter 50. (HB222/SB272)
- 666** Tennessee Higher Education Commission - As enacted, returns the appointment of the executive director of the Tennessee higher education commission from the governor to the commission. - Amends TCA Section 49-7-205. (HB1198/SB583)
- 667** Health, Dept. of - As enacted, requires the commissioner to develop and make available on the department's website educational literature about the risks and prevalence of sudden infant death syndrome (SIDS) and other infant sleep-related

deaths that are sometimes mislabeled as SIDS, so that such information may lead to the possible means of prevention. - Amends TCA Title 56; Title 63 and Title 68. (HB1539/SB2673)

- 668** Motor Vehicles, Titling and Registration - As enacted, authorizes motor vehicle commission to take licensure action against a dealer who finances the sale of used motor vehicles and retains titles to such vehicles and who fails to maintain record of customer's liability coverage or proof of financial responsibility whenever temporary plate issued to customer; requires record to be maintained in same manner or period of time as record of issuance of temporary plates. - Amends TCA Title 55. (HB1552/SB1607)
- 669** Local Education Agencies - As enacted, allows any LEA, rather than just the Metropolitan Nashville public school system, using the career academy or small learning community model to extend career and technical education (CTE) class sizes in grades nine through 12; allows an LEA to seek a waiver from the commissioner of education to extend the CTE class size average in grades nine through 12. - Amends TCA Title 49, Chapter 1 and Title 49, Chapter 11. (HB1569/SB1691)
- 670** Process, Service of - As enacted, authorizes, in an action by landlord to repossess landlord's property, service of process on a contractually named party and not just on an adult found in possession of property; specifies that in a forcible entry and detainer action, service on an adult person occupying the landlord's premises is sufficient to enable the landlord to regain possession of the landlord's property. - Amends TCA Section 29-18-115. (HB1667/SB1655)
- 671** Health Care - As enacted, redefines "trauma service codes" for purposes of the Tennessee Trauma Center Funding Law of 2007. - Amends TCA Section 68-59-102. (HB1762/SB1945)
- 672** Education, Dept. of - As enacted, prohibits the department and the state board of education from mandating assessments for any grades or subjects beyond those mandated during the 2016-2017 school year until the 2020-2021 school year. - Amends TCA Title 49, Chapter 6, Part 60. (HB1855/SB1806)
- 673** Agriculture - As enacted, authorizes the commissioner of agriculture to exempt industrial hemp from the regulatory requirements of the Tennessee Commercial Feed Law of 1972 in the same manner that the commissioner is authorized to exempt hay, straw, stover, silage, cobs, husks, hulls and individual compounds or substances from the Law. - Amends TCA Title 39; Title 43; Title 44 and Title 63, Chapter 12. (HB1875/SB1828)
- 674** Controlled Substances - As enacted, permits the direct administration of buprenorphine mono or buprenorphine without the use of naloxone as a treatment for substance use disorder under certain circumstances. - Amends TCA Title 53, Chapter 10; Title 53, Chapter 11 and Title 63. (HB2002/SB2099){**Appendix "B"**}
- 675** Health, Dept. of - As enacted, requires the department to accept allegations of opioid abuse or diversion and to publicize a means of reporting allegations of such; prohibits civil liability for or firing of a person who reports suspected abuse or diversion. - Amends TCA Title 50 and Title 63. (HB2004/SB2022){**Appendix "B"**}

- 676** Privacy, Confidentiality - As enacted, protects residential information of county corrections officers, and punished violations of release of such information, in the same manner the residential information of law enforcement officers is protected. - Amends TCA Title 10 and Title 39. (HB2014/SB1992)
- 677** Driver Licenses - As enacted, clarifies the documentation that honorably discharged military veterans who elect to indicate their military service on their driver license can provide to establish proof of service. - Amends TCA Title 55, Chapter 50, Part 3. (HB2047/SB2053)
- 678** Public Funds and Financing - As enacted, revises provisions governing state funds appropriated specifically for child advocacy centers. - Amends TCA Title 9, Chapter 4. (HB2069/SB1988)
- 679** Professions and Occupations - As enacted, requires certain training and examination in order to use the title "certified animal massage therapist" or "registered animal massage therapist;" requires liability insurance. - Amends TCA Title 63, Chapter 12. (HB2080/SB2466)
- 680** Alcoholic Beverages - As enacted, designates Pine Creek Golf Course in Wilson County and Capitol Theater in Greeneville as premier type tourist resorts for purposes of on-premises consumption of alcoholic beverages. - Amends TCA Section 57-4-102. (HB2186/SB2339)
- 681** Pensions and Retirement Benefits - As enacted, provides under the Public Employee Defined Benefit Financial Security Act of 2014 that the measurement standard used to determine a pension plan's funded status must be done in accordance with rules, standards, guidelines, and interpretations established by the governmental accounting standards board; provides that for political subdivision with an existing pension plan as of May 22, 2014, the political subdivision must not establish a new pension plan until it has received written approval from the state treasurer. - Amends TCA Title 9, Chapter 3, Part 5. (HB2222/SB1976)
- 682** TennCare - As enacted, requires that a waiver amendment to the existing TennCare II waiver that requires elective abortion providers be excluded from participation as providers in the TennCare program be submitted to the federal centers for medicare and medicaid services for approval. - Amends TCA Title 68 and Title 71. (HB2251/SB2148)
- 683** Advertising - As enacted, revises provisions governing certain permits issued under the Billboard Regulation and Control Act. - Amends TCA Title 54, Chapter 21. (HB2342/SB1858)
- 684** Consumer Protection - As enacted, revises provisions governing the annual report the division of consumer affairs is required to make to the general assembly on the activities of the division. - Amends TCA Title 47. (HB2387/SB2358)
- 685** Local Government, General - As enacted, clarifies that no local government has the authority to enact a law that would place requirements regarding inclusionary, affordable, or below market value housing when entitlements, variances, or any other form of permit or authorization is sought from the local government; prohibits a local governmental unit from conditioning development entitlements through amendment to the zoning map on the allocation of existing or newly constructed private

- residential or commercial rental units to be sold or rented at below market rates. - Amends TCA Title 7; Title 13 and Title 66. (HB1143/SB363)
- 686** Birth Control - As enacted, enacts the "Long-Acting Birth Control Information Act." - Amends TCA Title 8; Title 63; Title 68 and Title 71. (HB1320/SB883)
- 687** Taxes, Alcoholic Beverages - As enacted, extends by one year the manner in which liquor-by-the-drink tax proceeds are distributed to local political subdivisions. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 49; Title 57 and Title 67. (HB1499/SB1794)
- 688** Utilities, Utility Districts - As enacted, clarifies the entities under the jurisdiction of the utility management review board and the water and wastewater financing board. - Amends TCA Section 7-82-701 and Section 68-221-1008. (HB1503/SB1581)
- 689** Appropriations - As enacted, specifies that for purposes of determining compliance with the constitutional provision regarding the rate of growth of appropriations (the Copeland cap) that funds allocated to the reserve for revenue fluctuations will not be included as appropriations from state tax revenues and that funds expended from the reserve for revenue fluctuations to offset shortfalls in state tax revenue will not be included as appropriations from state tax revenues. - Amends TCA Title 9, Chapter 4. (HB1562/SB1612)
- 690** Handgun Permits - As enacted, revises provisions regarding lifetime handgun carry permit for retired law enforcement officer. - Amends TCA Title 39, Chapter 17, Part 13. (HB1566/SB1587)
- 691** Special License Plates - As enacted, authorizes surviving spouses of deceased national guard members to apply for issuance of national guard license plate. - Amends TCA Title 55, Chapter 4, Part 2 and Title 55, Chapter 4, Part 3. (HB1573/SB1900)
- 692** Alcoholic Beverages - As enacted, authorizes the City of Ethridge to hold a referendum to authorize the retail sale of alcoholic beverages in package stores and for consumption on the premises. - Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4. (HB1576/SB2573)
- 693** Taxes, Ad Valorem - As enacted, directs TACIR to study how to make nontax-producing property held by state and local governments productive. - Amends TCA Title 67, Chapter 5. (HB1735/SB2650)
- 694** Physicians and Surgeons - As enacted, establishes circumstances under healthcare facilities and mental healthcare facilities may differentiate between licensed physicians based on a physician's maintenance of certification in medical staff privileging and credentialing; establishes other requirements in regard to maintenance of certification. - Amends TCA Title 33; Title 56, Chapter 7 and Title 68. (HB1927/SB1824)
- 695** Education, Higher - As enacted, revises various provisions regarding financial aid for higher education. - Amends TCA Title 49. (HB1969/SB1840)
- 696** Water Authorities - As enacted, removes the requirement that the board of a water and wastewater treatment authority that does not provide water service include a person in the field of law. - Amends TCA Section 68-221-605. (HB2035/SB2644)

- 697** Education, Curriculum - As enacted, revises provisions governing the standards recommendations committees. - Amends TCA Title 49, Chapter 1, Part 3. (SB574/HB72)
- 698** Schools, Charter - As enacted, changes the time period a local board of education has to deny or approve a sponsor's amended application from 30 days to 60 days; changes the time period in which the amended application will be deemed approved if the local board of education fails to deny or approve the amended application from 30 days to 60 days. - Amends TCA Title 49. (SB1407/HB1237)
- 699** Education - As enacted, revises the date by which the state board of education must require a course in Tennessee history for students from the 2018-2019 school year to the 2019-2020 school year. - Amends TCA Section 49-6-1015 and Chapter 482 of the Public Acts of 2017. (SB1471/HB2204)
- 700** Taxes, Hotel Motel - As enacted, authorizes the City of Farragut, by a two-thirds vote of its governing body, to levy a privilege tax not to exceed 4 percent upon the privilege of occupancy. - Amends TCA Section 67-4-1425. (SB1503/HB1492)
- 701** Sunset Laws - As enacted, extends the department of revenue for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1532/HB1626)
- 702** Sunset Laws - As enacted, extends the health services and development agency for three years to June 30, 2021. - Amends TCA Title 4, Chapter 29, Part 2 and Title 68, Chapter 11, Part 16. (SB1538/HB1646)
- 703** Sunset Laws - As enacted, extends the state university and community college system, board of regents, for four years to June 30, 2022; requires the governor, in making appointments, to ensure that the state university boards are composed of members who are diverse in sex rather than in gender. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 8, Part 2. (SB1553/HB1631)
- 704** Sunset Laws - As enacted, extends the Tennessee board of water quality, oil, and gas for five years to June 30, 2023. - Amends TCA Title 4, Chapter 29 and Title 69, Chapter 3, Part 1. (SB1558/HB1636)
- 705** Sunset Laws - As enacted, extends the Tennessee higher education commission for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 7, Part 2. (SB1563/HB1640)
- 706** Sunset Laws - As enacted, extends the Tennessee student assistance corporation, board of directors for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 4, Part 2. (SB1565/HB1642)
- 707** Sunset Laws - As enacted, creates sunrise provision for local governing boards of trustees of the board of regents state universities, to terminate June 30, 2019. - Amends TCA Title 4, Chapter 29, Part 2; Title 49, Chapter 8, Part 1 and Title 49, Chapter 8, Part 2. (SB1570/HB1663)
- 708** Evidence - As enacted, prohibits the exclusion from a criminal trial of certain out-of-court, non-testimonial statements made by a child under 12 years of age that describe any sexual act or act of physical violence directed against the child. - Amends TCA Title 24. (SB1593/HB1480)

- 709** Workers Compensation - As enacted, removes requirement that every workers' compensation insurer that provides insurance for Tennessee workers' compensation claims be required to maintain a claims office or to contract with a claims adjuster located within this state. - Amends TCA Title 50, Chapter 6. (SB1615/HB1714)
- 710** Taxes, Ad Valorem - As enacted, provides continued eligibility for an elderly low-income, disabled, and disabled veteran's property tax relief during temporary periods of relocation for health care to home of a friend or relative or to a hospital or skilled intermediate care facility if the homeowner intends to return to the residence once recovered. - Amends TCA Title 67, Chapter 5, Part 7. (SB1675/HB1496)
- 711** Textbooks - As enacted, revises the appointment process and qualifications for membership on the state textbook and instructional materials quality commission; revises other related provisions; schedules the commission to sunset June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 6, Part 22. (SB1723/HB1676)
- 712** Public Records - As enacted, requires, by January 1, 2019, state governmental entities to promulgate rules, rather than adopt policies, to establish a process for making requests to inspect or receive copies of public records, for responding to requests for public records, and for the creation of a statement of any fees charged for copies of such records. - Amends TCA Title 10, Chapter 7, Part 5. (SB1724/HB1608)
- 713** Utilities, Utility Districts - As enacted, removes the utility management review board's authority to approve or disapprove corrections made by a public water system of a utility district to comply with federal or state law as a condition for the system to receive a loan from the Tennessee Local Development Authority. - Amends TCA Section 7-82-709. (SB1745/HB1734)
- 714** Death - As enacted, clarifies that the ability of a next of kin to seek reconsideration of a medical examiner's manner of death determination applies only when the manner of death is determined to be suicide; specifies that unrelated parties have no liability for relying on the original death certificate, without regard to subsequent revision made pursuant to a request for reconsideration of the cause of death. - Amends TCA Title 68, Chapter 3. (SB1757/HB2560)
- 715** Education, Dept. of - As enacted, requires the department to develop, and the state board of education to adopt, a policy establishing a review period for LEAs to review and verify accountability data files and determinations before data files and determinations are released publicly by the department. - Amends TCA Title 49, Chapter 1, Part 6. (SB1805/HB1577)
- 716** Utilities, Utility Districts - As enacted, makes various changes to the Underground Utility Damage Prevention Act, including authorizing the underground utility damage enforcement board to establish, by rule, best practices for uniform color code and marking and adding another member to the board. - Amends TCA Title 65, Chapter 31. (SB1812/HB1791)
- 717** Alcoholic Beverages - As enacted, expands the locations a manufacturer may possess, store, and transport its products to include any county that has authorized the manufacture of alcoholic beverages and any county adjacent to such county; authorizes the storage of the manufacturer's products in facilities authorized or leased by the manufacturer. - Amends TCA Section 57-2-104. (SB1814/HB1715)

- 718** County Government - As enacted, requires members of a county legislative body to complete orientation and certain training after being elected or appointed; such training must be provided by or approved by CTAS; creates certain exceptions. - Amends TCA Title 5, Chapter 5. (SB1905/HB1921)
- 719** Sexual Offenses - As enacted, classifies the offense of continuous sexual abuse of a child as a violent sexual offense for purposes of the Tennessee Sexual Offender and Violent Sexual Offender Registration, Verification and Tracking Act of 2004; revises the sentencing requirement for a person convicted of continuous sexual abuse of a child. - Amends TCA Section 39-13-518 and Title 40, Chapter 39, Part 2. (SB1944/HB2092)
- 720** Human Services, Dept. of - As enacted, updates references in vocational rehabilitation statutes to reflect current nomenclature for the division of rehabilitation services and the director of the vocation rehabilitation program; removes certain requirements concerning services offered by the division of rehabilitation services. - Amends TCA Title 49, Chapter 11, Part 6; Title 49, Chapter 11, Part 7 and Title 49, Chapter 11, Part 8. (SB2249/HB1824)
- 721** Insurance, Health, Accident - As enacted, requires the commissioner of commerce and insurance to study issues related to including screening for the hepatitis C virus as a part of preventive services or as a mandated health insurance benefit for health insurance entities regulated by the department including consideration of the benefits and costs of broad based or targeted screening for the hepatitis C virus. - Amends TCA Title 56. (SB2413/HB2448)
- 722** Hospitals and Health Care Facilities - As enacted, establishes a procedure for the recognition of hospitals with stroke-related designations; establishes other related provisions. - Amends TCA Title 68. (SB2513/HB2167)
- 723** Education, Dept. of - As enacted, requires the department to develop an evidence-based training program on adverse childhood experiences (ACEs) for school leaders and teachers. - Amends TCA Title 49. (SB1386/HB1240)
- 724** Purchasing and Procurement - As enacted, allows local governments to make purchases of certain motor vehicles through a federal general service administration contract. - Amends TCA Title 12, Chapter 3, Part 12. (SB1596/HB2527)
- 725** Education - As enacted, removes from education laws obsolete pilot projects and reporting and similar requirements; revises and deletes certain other education-related provisions and reporting requirements. - Amends TCA Title 49. (SB1618/HB1968)
- 726** Election Laws - As enacted, allows voter who was issued an absentee ballot to vote a provisional ballot. - Amends TCA Section 2-6-301 and Section 2-7-112. (SB1690/HB1578)
- 727** Tennessee Bureau of Investigation - As enacted, allows uniformed law enforcement officers of the TBI who retire after at least 25 years to receive a retired commission card and the officer's service firearm, as is currently the case with TBI agents who retire after 25 years. - Amends TCA Title 38, Chapter 6. (SB1697/HB1512)
- 728** Economic and Community Development - As enacted, authorizes an industrial development corporation to acquire a hotel, motel, or apartment building for a

- project of the corporation located in Shelby County. - Amends TCA Section 7-53-302. (SB1736/HB2064)
- 729** Domestic Violence - As enacted, authorizes a domestic abuse victim to request that a court issue an order directing a wireless telephone service provider to transfer the billing responsibility for and rights to the wireless telephone number or numbers to the petitioner; enacts other related provisions. - Amends amend TCA Title 36, Chapter 3, Part 6. (SB1796/HB2033)
- 730** Forests and Forest Products - As enacted, requires designation of free-use areas where residents may remove downed and dead timber from state forests for their personal use under certain circumstances. - Amends TCA Title 9, Chapter 8; Title 11, Chapter 4; Title 29, Chapter 20 and Title 43. (SB1914/HB2241)
- 731** Courts - As enacted, enacts the "Uniform Commercial Real Estate Receivership Act." - Amends TCA Title 29; Title 47; Title 48 and Title 66. (SB1921/HB1792)
- 732** Veterans - As enacted, adds a representative for military veteran recipients to be appointed as a member of the statewide planning and policy council. - Amends TCA Section 33-1-401. (SB1927/HB1956)
- 733** Motor Vehicles - As enacted, prohibits the expenditure of state funds to enforce electronic logging regulations against any motor vehicle transporting nonhazardous materials for farm purposes that does not travel outside the boundaries of the state. - Amends TCA Title 4; Title 9 and Title 55. (SB1936/HB1962)
- 734** Child Custody and Support - As enacted, extends subject matter jurisdiction to hear grandparent visitation cases to any court that exercises domestic relations jurisdiction. - Amends TCA Section 36-6-306. (SB2002/HB1841)
- 735** Motor Vehicles, Titling and Registration - As enacted, authorizes an owner or lessee of a motor vehicle who is deaf or hard of hearing to request that the department of safety include such designation in the Tennessee Vehicle Title and Registration System (VTRS) database; enacts other related provisions in regard to such designation. - Amends TCA Title 55. (SB2023/HB2065)
- 736** Pensions and Retirement Benefits - As enacted, revises provisions governing participation in the Tennessee consolidated retirement system by county judges and county officials; makes other revisions regarding participation in the system. - Amends TCA Title 8, Chapter 34; Title 8, Chapter 35; Title 8, Chapter 36; Title 8, Chapter 37 and Section 17-2-305. (SB2064/HB2056)
- 737** Driver Licenses - As enacted, allows a student enrolled in a cooperative driver training program who is seeking an exemption from the skills or knowledge tests required for commercial driver licenses to submit the third-party driver examiner testing certification form to the department within one year of satisfactorily completing the driver education and training course. - Amends TCA Title 55, Chapter 50. (SB2066/HB2041)
- 738** Shelby County - As enacted, authorizes Shelby County to exercise discretion over the manner in which a county board of public utilities that it may create will be constituted; requires a board or administrative agency in Shelby County that is increasing the charges for fire protection services by more than 10 percent to obtain approval for the increase from the county legislative body prior to the increase taking effect. - Amends TCA Title 5, Chapter 16. (SB2068/HB2170)

- 739** Education, Higher - As enacted, establishes requirements for issuance of diplomas, certificates of credit, and transcripts when a student has outstanding debts or obligations owed to a college or university. - Amends TCA Title 49, Chapter 7, Part 1 and Section 49-9-108. (SB2174/HB2434)
- 740** Alcoholic Beverages - As enacted, designates certain premises in Blount, Sevier, Hawkins, and Claiborne counties as premier type tourist resorts and bed and breakfast establishments for purposes of the sale of alcoholic beverages for on-premises consumption. - Amends TCA Section 57-4-102. (SB2210/HB1474)
- 741** Banks and Financial Institutions - As enacted, broadens the definition of financial institution to include a trust company and institutions that are organized under the laws of other states for purposes of conversion of charter and resulting institutions; requires a financial institution that results from a conversion to have its principal place of business in this state. - Amends TCA Title 45, Chapter 1; Title 45, Chapter 11 and Title 45, Chapter 2. (SB2243/HB1819)
- 742** Child Custody and Support - As enacted, conditions courts' authority to order acquisition and maintenance of health insurance coverage under a child support award upon the availability of reasonable and affordable health insurance. - Amends TCA Section 36-5-101. (SB2248/HB1823)
- 743** Mass Transit - As enacted, designates department of transportation as state agency with oversight over safety of rail fixed guideway public transportation systems in Tennessee; makes other related revisions to comply with Title 49 of the United States Code. - Amends TCA Title 10; Title 13; Title 54 and Title 65. (SB2255/HB1830)
- 744** Professions and Occupations - As enacted, gives licensing authorities discretion whether or not to suspend, deny, or revoke a license based on the applicant or licensee having defaulted or become delinquent on student loan repayment, if the licensing authority determines that the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency. - Amends TCA Title 3; Title 23; Title 49; Title 56 and Title 63. (SB2306/HB2412)
{Appendix "C"}
- 745** Professions and Occupations - As enacted, specifies in various statutes governing licensure of professions and occupations, including health-related occupations, that administrative action against a person's license (including the denial, suspension or revocation of a license and determinations of fitness to practice) based on a criminal conviction, is subject to the applicable provisions of the Fresh Start Act. - Amends TCA Title 20; Title 62 and Title 63. (SB2461/HB1799)**{Appendix "C"}**
- 746** Utilities, Utility Districts - As enacted, authorizes utility districts to enter into contracts or arrangements relating to natural gas with a public corporation that is created under the authority of a contiguous state and that is similar to an energy acquisition corporation created under the authority of this state. - Amends TCA Section 7-82-302. (SB2524/HB2233)
- 747** Witnesses - As enacted, prohibits a court from requiring an educator to be a witness in a civil domestic dispute proceeding if the educator's attendance would cause absence from teaching or supervisory duties in a school unless the court determines the educator's attendance is necessary to ensure fairness. - Amends TCA Title 24 and Title 49. (SB2549/HB2522)

- 748** Motor Vehicles - As enacted, revises and expands Class A misdemeanor relating to counterfeit airbags and similar restraint system components. - Amends TCA Title 39 and Title 55. (SB2583/HB1597)
- 749** Election Laws - As enacted, prescribes procedure for paper ballots in counties using optical scan voting systems and procedure for provisional ballots. - Amends TCA Section 2-7-114(c). (SB2638/HB2665)
- 750** Physicians and Surgeons - As enacted, revises the notice that must be provided to a patient who is determined to have dense breasts or extremely dense breasts based on a mammogram. - Amends TCA Title 63. (SB2704/HB2634)
- 751** Education - As enacted, specifies that, for the 2017-2018 school year, employment termination and compensation decisions for pre-kindergarten or kindergarten teachers will not be based solely on data generated by the portfolio model; revises provisions regarding funding and approval for LEAs. - Amends TCA Title 49. (HB1686/SB1854)
- 752** Public Funds and Financing - As enacted, revises provisions governing eligible collateral pledged by a state depository for public funds. - Amends TCA Title 9, Chapter 4. (HB1707/SB2684)
- 753** Recreational Areas - As enacted, authorizes the commissioner of environment and conservation to expend funds from the Ocoee River recreation and economic development fund; gives the commissioner sole authority to make expenditures from the fund for certain management and administrative expenses. - Amends TCA Title 4, Chapter 29 and Title 11, Chapter 8. (HB1816/SB2240)
- 754** Administrative Procedure (UAPA) - As enacted, prohibits boards, commissions, and other multi-member governmental entities from promulgating rules or issuing other internal restrictions that infringe on an entity member's freedom of speech. - Amends TCA Title 4, Chapter 29, Part 1. (HB1966/SB1929)
- 755** Alcoholic Beverages - As enacted, specifies that an entity licensed for on-premises consumption may include contiguous areas in its designated premises; adds designation as festival operator for purposes of those authorized to sell for on-premises consumption; revises other on-premises consumption provisions. - Amends TCA Title 57, Chapter 4. (HB1976/SB1820)
- 756** Taxes, Business - As enacted, allocates to the county clerk \$3.00 of the \$15 fee charged for issuance of a business license; requires the \$3.00 to be used for computer-related expenses. - Amends TCA Section 67-4-723. (HB2029/SB2184)
- 757** Workers Compensation - As enacted, revises provisions governing attorneys' fees and costs in certain workers' compensation claims cases. - Amends TCA Section 50-6-102 and Section 50-6-226. (HB2304/SB2475)
- 758** Children's Services, Dept. of - As enacted, extends from 30 days to 40 days the period of advance notice that licensed child-placing agencies and licensed clinical social workers must provide the department before increasing fees charged to prospective adoptive parents. - Amends TCA Title 36. (HB2444/SB2170)
- 759** Business and Commerce - As enacted, specifies certain powers of a series of an LLC. - Amends TCA Title 48, Chapter 249. (HB2524/SB2435)

- 760** Municipal Government - As enacted, creates an exception to the prohibition on the incorporation of an area within three miles of an existing municipality to allow an area in Hickman County to incorporate; specifies that provisions governing adoption of a charter under the mayor-aldermanic charter provisions of general law do not effect an existing municipality's authority to annex unincorporated areas within the existing municipality's urban growth boundary. - Amends TCA Section 6-1-201. (HB1473/SB1470)
- 761** County Government - As enacted, authorizes a county legislative body to adopt a resolution by majority vote prohibiting term limits for persons appointed to boards or commissions by the county mayor if the appointee serves without compensation, not including reimbursement for travel and expenses. - Amends TCA Title 5; Title 6 and Title 7. (HB1557/SB1614)
- 762** Local Government, General - As enacted, authorizes the City of Hornbeak to collect unpaid charges for municipal sewer services in the same manner as unpaid property taxes, including through the attachment of a lien against real property. - Amends TCA Title 7, Chapter 35. (HB1605/SB1630)
- 763** Consumer Protection - As enacted, requires, under the Uniform Debt-Management Services Act, counselors to present evidence of accreditation or certification by an independent accrediting or certifying organization upon registering to provide debt management services. - Amends TCA Title 47, Chapter 18, Part 55. (HB1671/SB2197)
- 764** Taxes, Privilege - As enacted, imposes a \$2.00 tax on a sexually oriented business for each customer that enters; provides for revenue being allocated to the general fund with the intent that amounts be allocated to programs for victims of sex trafficking; schedules the tax to be repealed on July 1, 2021. - Amends TCA Title 7 and Title 67. (HB1701/SB1763)
- 765** Alcoholic Beverages - As enacted, revises various provisions regarding the delivery of alcoholic beverages, including the fee structure for delivery service licenses. - Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4. (HB1717/SB1597)
- 766** TennCare - As enacted, prohibits the bureau and HCFA from imposing a fine or penalty on any provider when developing or implementing any payment reform initiative involving the use of episodes of care; revises other provisions regarding payments to healthcare providers. - Amends TCA Title 8, Chapter 27 and Title 71, Chapter 5. (HB1729/SB2639)
- 767** Education - As enacted, revises provisions governing special education and special education services associations, - Amends TCA Title 49, Chapter 10. (HB1870/SB1901)
- 768** Schools, Charter - As enacted, authorizes the comptroller of the treasury to audit financial transactions of a charter management organization (CMO); requires all CMOs operating a charter school in this state to file an annual financial report with the comptroller of the treasury no later than August 31 of each year. - Amends TCA Title 49. (HB1888/SB2158)
- 769** Corporations, Not for Profit - As enacted, enacts the "Nonprofit Fair Assets Protection Act". - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 12; Title 47; Title 48; Title 61 and Title 67. (HB1975/SB2212)

- 770 Education, Higher - As enacted, adds provisions regarding the process of selecting a chief executive officer of a public institution of higher education in this state. - Amends TCA Title 49, Chapter 2 and Title 49, Chapter 7. (HB2000/SB2586)
- 771 Veterans - As enacted, makes the veteran hiring preference mandatory. - Amends TCA Section 8-30-307 and Title 9, Chapter 8. (HB2006/SB2192)
- 772 Forfeiture of Assets - As enacted, revises laws governing civil asset forfeiture. - Amends TCA Title 40, Chapter 33, Part 2. (HB2021/SB1987){**Appendix "D"**}
- 773 Health Care - As enacted, enacts the "Down Syndrome Information Act of 2018". - Amends TCA Title 63 and Title 68. (HB2053/SB2008)
- 774 Milk, Dairy Products - As enacted, authorizes the labeling of any milk sold in this state as "Local Tennessee Milk", or a statement that indicates the milk is Tennessee milk, if the milk contains only milk produced in Tennessee. - Amends TCA Title 43; Title 53 and Title 57. (HB2153/SB2033)
- 775 Education, Curriculum - As enacted, requires the department and state board of education to provide certain information regarding Bible curricula and courses. - Amends TCA Title 49. (HB2174/SB2124)
- 776 Taxes, Hotel Motel - As enacted, authorizes the City of Pleasant View, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 5 percent on the privilege of staying in any hotel or motel in Pleasant View; the ordinance must set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism development. - Amends TCA Section 67-4-1425. (HB2189/SB2457)
- 777 Local Education Agencies - As enacted, requires LEAs to report certain information to the department of education regarding use of corporal punishment. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6. (HB2331/SB1947)
- 778 Taxes, Real Property - As enacted, revises provisions governing delinquent tax sales. - Amends TCA Title 67, Chapter 5. (HB2337/SB2495)
- 779 Planning, Public - As enacted, extends application of the Neighborhood Preservation Act to include any county or municipality that has formed a land bank; adds other provisions to the Act and the Tennessee Local Land Bank Program. - Amends TCA Title 13 and Title 67. (HB2423/SB2126)
- 780 Education - As enacted, adds that the funds from the small and minority-owned business program that are transferred to the board of trustees of the college savings trust fund may be utilized for the administration and marketing of an incentive plan or plans. - Amends TCA Title 49, Chapter 7, Part 8. (HB2438/SB2392)
- 781 Taxes, Hotel Motel - As enacted, authorizes the City of Hendersonville, by ordinance adopted by a two-thirds vote, to levy an occupancy tax of not more than 2.75 percent on the privilege of staying in any hotel or motel in Hendersonville; requires the ordinance to set forth the manner of collection and administration of the privilege tax; requires that all proceeds received by the municipality from the tax be used for tourism development. - Amends TCA Section 67-4-1425. (HB2636/SB2421)
- 782 Historical Sites and Preservation - As enacted, revises provisions governing the Sam Davis Home. - Amends TCA Title 4. (HB2681/SB2722)

- 783** Alcoholic Beverages - As enacted, authorizes the sale of alcoholic beverages and wine on Sundays during certain hours; prohibits sales on Easter, Christmas, and Thanksgiving; revises other provisions relating to alcoholic beverages. - Amends TCA Title 57, Chapter 3; Title 57, Chapter 4 and Title 57, Chapter 5. (HB1540/SB2518)
{Appendix "E"}
- 784** Education - As enacted, revises the Course Access Program Act. - Amends TCA Title 49. (SB1896/HB1778)
- 785** Alcoholic Beverages - As enacted, designates Gaylord Springs Golf Links as a premier type tourist resort for purposes of consumption of alcoholic beverages on the premises. - Amends TCA Section 57-4-102. (SB1907/HB1752)
- 786** Labor - As enacted, extends repeal date for the Go Build Tennessee Program, from July 1, 2019, to July 1, 2024; deletes restriction that funds collected from contractor licensing revenue be used only to fund career and technical education programs and other certified and nationally accredited programs. - Amends TCA Title 4, Chapter 41 and Title 62, Chapter 6, Part 1. (SB1922/HB1917)
- 787** Alcoholic Beverages - As enacted, designates the Whitestone Country Inn as a premier type tourist resort for the purposes of the on-premises consumption of alcoholic beverages. - Amends TCA Section 57-4-102. (SB2075/HB2530)
- 788** Health, Dept. of - As enacted, removes requirement that state-operated medical laboratories and public health laboratory personnel who work at medical laboratories operated by the state be regulated under the Tennessee Medical Laboratory Act. - Amends TCA Section 49-6-5001; Section 68-1-901; Title 68, Chapter 12; Title 68, Chapter 29; Title 68, Chapter 3, Part 1 and Title 68, Chapter 32. (SB2245/HB1821)
- 789** Human Services, Dept. of - As enacted, revises various provisions relative to public assistance. - Amends TCA Title 71, Chapter 1, Part 1; Section 71-3-104; Section 71-3-105; Section 71-5-314 and Section 71-5-316. (SB2247/HB1822)
- 790** Education, Higher - As enacted, revises various provisions of the Tennessee Higher Education Authorization Act of 2016, and provisions regarding the Tennessee higher education commission. - Amends TCA Title 49. (SB2294/HB2363)
- 791** Housing - As enacted, limits authorization for counties to appropriate funds for affordable housing or workforce housing to Davidson County. - Amends TCA Title 5, Chapter 9. (SB2343/HB2561)
- 792** State Employees - As enacted, revises provisions governing probation periods for state employment. - Amends TCA Title 8, Chapter 30. (SB2443/HB2589)
- 793** Professions and Occupations - As enacted, enacts the "Fresh Start Act". - Amends TCA Title 62, Chapter 76, Part 1 and Title 63, Chapter 1. (SB2465/HB2248)
{Appendix "C"}
- 794** Public Contracts - As enacted, revises provisions governing contracts for construction. - Amends TCA Section 12-4-107. (SB2501/HB1763)
- 795** Economic and Community Development - As enacted, requires the Tennessee advisory committee on intergovernmental relations (TACIR) to perform a study of the potential, overall effects of creating a grant and loan program administered by the department of economic and community development to encourage the financing and development of food desert relief enterprises that sell fresh food in low-income,

- underserved areas of this state. - Amends TCA Title 4, Chapter 3; Title 67, Chapter 4 and Title 67, Chapter 6. (SB2634/HB2120)
- 796** Taxes, Hotel Motel - As enacted, increases, from 2.5 percent to 5 percent, the maximum amount of the occupancy tax that McMinnville is authorized to levy. - Amends TCA Section 67-4-1425. (SB2707/HB2666)
- 797** Taxes, Litigation - As enacted, allows Sevier County, upon the adoption of a resolution by a two-thirds majority vote of the county legislative body, to assess a privilege tax on litigation in court cases in an amount not to exceed \$100 per case to be used exclusively for the construction of a building to house legal proceedings and offices directly involved with the court system, and to renovate the county courthouse. - Amends TCA Title 67, Chapter 4, Part 6. (SB2719/HB2462)
- 798** Pest Control - As enacted, requires applicators to notify the department of agriculture prior to making aerial applications of pesticides via an online reporting system, instead of notifying county sheriff's offices. - Amends TCA Title 43, Chapter 8. (SB1885/HB1934)
- 799** Mental Illness - As enacted, requires, in certain circumstances, the instant check unit of the TBI to contact the chief law enforcement officer of a jurisdiction where a person who has been adjudicated as a mental defective or judicially committed to a mental institution attempts to purchase a firearm; requires the reporting of certain other information of persons involuntarily committed. - Amends TCA Title 16; Title 33 and Section 38-6-109. (SB834/HB958){**Appendix "F"**}
- 800** Driver Licenses - As enacted, allows a victim of identity theft to apply for and receive a new driver license with a new distinguishing number upon presenting proof of the crime, including a law enforcement report that lists the applicant as a victim of identity theft; allows the department of safety to charge a reasonable fee for reissuance of a driver license due to identity theft. - Amends TCA Section 39-14-150 and Title 55, Chapter 50. (SB912/HB836)
- 801** Law Enforcement - As enacted, requires each law enforcement agency to ensure that, whenever a person is arrested and taken into custody by an officer of the agency, the person is asked whether that person is the parent or legal custodian of any children that will be left unattended by the person's arrest; enacts other related provisions. - Amends TCA Section 8-4-115; Title 8, Chapter 8, Part 2; Title 37, Chapter 5; Title 38, Chapter 3 and Title 40, Chapter 7, Part 1. (SB1512/HB2192)
- 802** Sunset Laws - As enacted, extends the state board of cosmetology and barber examiners for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29; Title 62, Chapter 3 and Title 62, Chapter 4. (SB1552/HB1630)
- 803** Sunset Laws - As enacted, creates sunrise provision for newly adopted physical therapy licensure compact, to terminate June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63, Chapter 13, Part 4. (SB1569/HB1661)
- 804** Tourism - As enacted, increases investment period by five years for a border region retail tourism development district. - Amends TCA Title 7, Chapter 40. (SB1701/HB1526)
- 805** Sunset Laws - As enacted, terminates the investment advisory council with no subsequent wind down period. - Amends TCA Title 4, Chapter 29, Part 2 and Title 8, Chapter 37. (SB1731/HB1665)

- 806** Process, Service of - As enacted, adds to law concerning service of process by mail for actions in general sessions courts. - Amends TCA Title 16, Chapter 15, Part 9. (SB1740/HB1886)
- 807** Libraries - As enacted, removes authority of a library board to have line-item control of budgeting and expenditure of moneys for the library fund and to set aside unencumbered funds in general fund or other funds of the library at the end of a fiscal year. - Amends TCA Section 10-3-104. (SB1773/HB1600)
- 808** Highways, Roads and Bridges - As enacted, increases the tax on unregistered or improperly registered freight motor vehicles; revises other provisions related to overloaded freight motor vehicles. - Amends TCA Title 55. (SB1783/HB1697)
- 809** Courts, General Sessions - As enacted, authorizes general sessions courts, by local rule, to allow papers to be filed, signed, or verified by electronic means that comply with technological standards promulgated by the supreme court; specifies that pleadings and other papers filed electronically under such local rules will be considered the same as written papers. - Amends TCA Title 16, Chapter 15, Part 7. (SB1789/HB2199)
- 810** Local Education Agencies - As enacted, requires LEAs to allocate funding to educational facilities providing educational instructional services to students who are admitted to such facilities under order of a juvenile court. - Amends TCA Title 49, Chapter 3. (SB1803/HB1607)
- 811** Utilities, Utility Districts - As enacted, specifies that provision of law that transfers certain duties of the county mayor to the water and wastewater treatment authority board does not apply to any petition by any governmental entity or state instrumentality that does not purport to adjust or otherwise modify any territory included in the service area of a water and wastewater treatment authority. - Amends TCA Title 5, Chapter 6, Part 1; Title 68, Chapter 221, Part 13 and Title 68, Chapter 221, Part 6. (SB1957/HB2365)
- 812** Alcoholic Beverages - As enacted, designates the National Museum of African American Music as an urban park center for the purposes of on-premises consumption of alcoholic beverages. - Amends TCA Section 57-4-102. (SB1998/HB2308)
- 813** Taxes, Sales - As enacted, clarifies that sales and use tax on sales of water by public utility and sales of natural gas, propane, and electricity sold directly to consumer for non-residential uses only applies to charges on a customer's monthly bill for metered usage, a monthly minimum bill, a monthly customer charged, or a monthly demand charge. - Amends TCA Title 67, Chapter 6, Part 3. (HB2232/SB2121)
- 814** Gallatin - As enacted, authorizes the City of Gallatin to levy a privilege tax upon the privilege of occupancy by a two-thirds vote of its governing body. - Amends TCA Title 67, Chapter 4, Part 14. (HB2702/SB2737)
- 815** Carter County - As enacted, allows removal of overgrown vegetation and accumulated debris on owner-occupied residential property. - Amends TCA Section 5-1-115. (HB2695/SB2726)
- 816** Tourism - As enacted, adds to and revises various provisions of the Convention Center and Tourism Development Financing Act of 1998. - Amends TCA Title 3; Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 57 and Title 67. (HB1923/SB1861)

- 817** Local Education Agencies - As enacted, revises provisions governing the percentage of student achievement test scores comprising a student's final grade in certain subjects; revises provisions governing situations where certain test scores are not received at least five instructional days before the end of a course. - Amends TCA Section 49-1-617. (HB1534/SB1898)
- 818** Education, Higher - As enacted, adds to the definition of "eligible postsecondary institution" for purposes of the Tennessee Promise Scholarship Act of 2014. - Amends TCA Title 49. (HB1687/SB1684)
- 819** Telecommunications - As enacted, enacts the "Competitive Wireless Broadband Investment, Deployment, and Safety Act of 2018" and requires TACIR to study certain items relating to deployment. - Amends TCA Title 13. (HB2279/SB2504)
- 820** Taxes, Personal Property - As enacted, exempts tangible personal property owned and used by nonprofit organizations to provide character development and other educational programs to youth about the Medal of Honor recipients; sets forth exemption criteria. - Amends TCA Title 67, Chapter 5. (HB2034/SB2346)
- 821** Museums - As enacted, revises various provisions concerning the state museum and the Douglas Henry State Museum Commission, including adding the new facility located at 1000 Rosa L. Parks Boulevard. - Amends TCA Title 4. (HB2235/SB2641)
- 822** Unclaimed Property - As enacted, shifts from December 31 each year to May 1 in 2018 and to November 1 in 2019 and years thereafter the date by which the holder of abandoned property must file a report with the treasurer regarding the property. - Amends TCA Section 66-29-125. (HB2278/SB1859)
- 823** Firearms and Ammunition - As enacted, authorizes an individual, business entity, or government entity to allow the concealed carry of handguns by handgun carry permit holders on the individual's or entity's property while prohibiting other weapons or the open carry of firearms; establishes posting requirements for "concealed firearms by permit only" signage. - Amends TCA Section 39-17-1359. (HB2370/SB2369)
- 824** Criminal Procedure - As enacted, requires a state control number on R-84 Disposition Cards that are attached to arresting documents. - Amends TCA Title 8, Chapter 4, Part 1. (HB1786/SB1499)
- 825** Energy - As enacted, establishes a regulatory framework for wind energy facilities in this state. - Amends TCA Title 5; Title 6; Title 7; Title 65; Title 68 and Title 70. (HB1731/SB1793)
- 826** Bail, Bail Bonds - As enacted, revises and enacts various provisions regarding bounty hunters. - Amends TCA Title 40, Chapter 11. (HB1543/SB1602)
- 827** Bail, Bail Bonds - As enacted, directs the Tennessee advisory commission on intergovernmental relations (TACIR) to perform a study of the implementation and effects of global positioning monitoring as a condition of bail for defendants accused of certain offenses. - Amends TCA Section 39-13-111 and Title 40, Chapter 11. (HB849/SB1133)
- 828** Firearms and Ammunition - As enacted, authorizes community corrections officers in Claiborne County, Grainger County, Hancock County, Hawkins County, Jefferson County, and Union County who hold a valid Tennessee handgun permit to carry a handgun at all times and in all places in this state while in the course of employment

- and engaged in the actual discharge of official duties. - Amends TCA Title 38, Chapter 8 and Title 39, Chapter 17, Part 13. (SB647/HB1083)
- 829** Judges and Chancellors - As enacted, specifies, in regard to the authorization for the supreme court to commission former justices and judges as senior judges, that only former justices and judges who left their most recent term of judicial office in good standing with the board of judicial conduct will be eligible for a commission. - Amends TCA Title 4; Title 16 and Title 17. (SB900/HB1052)
- 830** Boats, Boating - As enacted, imposes certain requirements on the operation of jet boats that carry passengers for hire. - Amends TCA Title 68; Title 69 and Title 70. (SB1062/HB1114)
- 831** Sunset Laws - As enacted, extends the board of parole for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 40, Chapter 28, Part 1. (SB1519/HB1613)
- 832** Sunset Laws - As enacted, extends the Tennessee rehabilitative initiative in correction board for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29, Part 2 and Title 41, Chapter 22, Part 4. (SB1564/HB1641)
- 833** Pensions and Retirement Benefits - As enacted, authorizes board of trustees for the Tennessee consolidated retirement system to co-invest a political subdivision's pension plan assets or take custody of such assets under certain circumstances. - Amends TCA Section 9-3-507. (SB1719/HB1865)
- 834** Consumer Protection - As enacted, deletes all provisions concerning beauty pageants, including registration of operators; cancellations and refunds; penalties; and remedies under the Consumer Protection Act for violations. - Amends TCA Title 4, Chapter 29, Part 2; Title 47, Chapter 18, Part 2 and Section 67-6-330. (SB1732/HB2329)
- 835** Education - As enacted, allows the energy efficient schools council to award grants or loans for energy efficient capital outlay projects to charter schools and the achievement school district in addition to LEAs. - Amends TCA Title 49, Chapter 17 and Section 49-4-940. (SB1765/HB2549)
- 836** Hospitals and Health Care Facilities - As enacted, revises various provisions governing nursing homes and extends the nursing home assessment trust fund by one year, to terminate on June 30, 2019. - Amends TCA Title 68 and Title 71. (SB1781/HB1848)
- 837** Juries and Jurors - As enacted, requires jury coordinator to prepare and send a list of persons disqualified or potentially disqualified from jury service due to certain reasons to the administrator of elections. - Amends TCA Title 22, Chapter 1 and Title 22, Chapter 2. (SB1808/HB1854)
- 838** Pharmacy, Pharmacists - As enacted, requires any person operating in this state as a pharmacy benefits manager to be licensed by the department of commerce and insurance prior to operating. - Amends TCA Title 56, Chapter 6, Part 4 and Title 56, Chapter 7, Part 31. (SB1852/HB1857)
- 839** Mining and Quarrying - As enacted, enacts the "Primacy and Reclamation Act of Tennessee" and revises other related provisions; contains certain contingent effective

- dates. - Amends TCA Title 4; Title 10; Title 50; Title 59; Title 60; Title 66; Title 67; Title 68; Title 69 and Title 70. (SB686/HB571)
- 840** Insurance Companies, Agents, Brokers, Policies - As enacted, authorizes certain insureds, or other persons entitled to benefits under a policy, to assign their benefits to a healthcare provider; establishes certain requirements in regard to healthcare facilities collecting out-of-network charges. - Amends TCA Title 8; Title 56; Title 63 and Title 68. (SB1869/HB1935)
- 841** Education, Higher - As enacted, requires the governor, in appointing members to the board of regents, to strive to ensure that at least one board member is an honorably discharged military veteran; requires that in making appointments to the state university boards and UT board of regents the governor strive to ensure members are diverse in honorable military service in addition to gender, race, perspective, and experience. - Amends TCA Section 49-8-201 and Section 49-9-202. (SB2036/HB2682)
- 842** Election Laws - As enacted, removes early voting period for elections not held in conjunction with the August or November general election or held in conjunction with the May primary or presidential preference primary if there is no opposition for any offices on the ballot including write-in candidates; revises other election provisions. - Amends TCA Section 2-2-111(d); Section 2-4-107 and Section 2-6-102. (SB2079/HB1943)
- 843** TennCare - As enacted, specifies that a healthcare provider must not be required to pay the portion of the risk sharing payment that is attributable to the increased cost of pain relief services under any payment reform initiative involving the use of episodes of care with respect to TennCare, if certain conditions are met. - Amends TCA Title 71. (SB2155/HB2001){**Appendix "B"**}
- 844** Education - As enacted, requires the department of education to establish a student support collaborative to review and define the roles and responsibilities for school social workers, school counselors, school psychologists, and school nurses; requires the basic education program (BEP) review committee to analyze the addition of a component for school social workers to the BEP funding formula and include such analysis in its 2018 annual report. - Amends TCA Title 37; Title 49; Title 63 and Title 68, Chapter 1. (SB2196/HB2272)
- 845** Water Pollution - As enacted, specifies that compliance with a national pollutant discharge elimination system permit under the Water Quality Control Act will be deemed compliance for purposes of the provisions of the Act in regard to certain requirements and procedures. - Amends TCA Title 69, Chapter 3, Part 1. (SB2229/HB2313)
- 846** Planning, Public - As enacted, authorizes the City of Cleveland and Hardeman County to participate in the Tennessee local land bank program. - Amends TCA Title 13, Chapter 30. (SB2347/HB2350)
- 847** Alcoholic Beverages - As enacted, designates The Church @ 117 in Coffee County and Drafts and Watercrafts in Franklin County as premier type tourist resorts for purposes of on-premises consumption. - Amends TCA Title 57, Chapter 4. (SB2377/HB2358)

- 848** Professions and Occupations - As enacted, rewrites provisions governing apprenticeship programs. - Amends TCA Title 62, Chapter 76, Part 2. (SB2458/HB2537){**Appendix "C"**}
- 849** Criminal Procedure - As enacted, requires the Tennessee advisory commission on intergovernmental relations (TACIR) to study the effectiveness of statutes of limitation on prosecution for criminal offenses; requires the study to include information on sexual offense statutes of limitation and allows the study to include comparisons of Tennessee limitations to neighboring states; requires TACIR to report findings to the general assembly by January 15, 2019. - Amends TCA Title 39 and Title 40. (SB2538/HB2536)
- 850** Motor Vehicles - As enacted, revises provisions governing unclaimed and abandoned vehicles in regard to notice and verifying ownership; creates towing advisory board. - Amends TCA Title 55, Chapter 16. (SB2698/HB1710)
- 851** Civil Procedure - As enacted, makes licensed clinical social workers who are engaged solely in independent clinical practice in proceedings in which the department of children's services is the petitioner or intervening petitioner, exempt from subpoena to trial but subject to subpoena to a deposition. - Amends TCA Title 24, Chapter 9, Part 1.. (HB3/SB41)
- 852** Public Funds and Financing - As enacted, enacts the "Master Development Plan Recognition Act". - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 13; Title 41; Title 42; Title 49; Title 64; Title 68 and Title 69. (HB132/SB157)
- 853** Child Custody and Support - As enacted, revises provisions governing relocation of one parent. - Amends TCA Title 36, Chapter 6, Part 1. (HB1666/SB1651)
- 854** Food and Food Products - As enacted, specifies that the department of agriculture may cooperate with the United States food and drug administration in enforcement of the federal standards for the growing, harvesting, packing, and holding of produce for human consumption. - Amends TCA Title 53, Chapter 1. (HB1807/SB2231)
- 855** Drug and Alcohol Rehabilitation - As enacted, imposes suspension or revocation of license for violations in the marketing of alcohol and drug treatment services. - Amends TCA Title 4; Title 33; Title 39; Title 63 and Title 68. (HB2068/SB2005)
- 856** Environmental Preservation - As enacted, authorizes the Morgan County commission to designate by resolution a property that consists of at least 2,000 contiguous acres as the JustBeGreen Villages of America development area upon application of one or more property owners within the area for which the designation is sought. - Amends TCA Title 7; Title 11 and Title 13. (HB2116/SB2082)
- 857** Flags - As enacted, prohibits local governments from adopting or enforcing regulations that prohibit or restrict the display of a flag of the United States of America, a flag of the state of Tennessee, the MIA/POW flag, or an official or replica flag of any branch of the United States armed forces on a property owner's property except when necessary to promote public health and safety. - Amends TCA Title 5, Chapter 5; Title 6, Chapter 54 and Title 13, Chapter 7. (HB2195/SB2117)
- 858** Courts, General Sessions - As enacted, revises provisions governing appeals from general sessions courts. - Amends TCA Section 27-5-108. (HB2202/SB2383)

- 859** Correction, Dept. of - As enacted, requires the commissioner to develop and administer a confidential annual survey of correction officers who leave service as correction officers in order to examine factors in retention of correction officers; requires an annual report on or before December 1. - Amends TCA Title 41. (HB2336/SB2596)
- 860** Alcoholic Beverages - As enacted, designates certain facilities in Jackson, Claiborne, and Grundy counties as premier type tourist resorts for purposes of on-premises consumption. - Amends TCA Section 57-4-102. (HB2420/SB2682)
- 861** Licenses - As enacted, requires persons subject to licensure as emergency medical services personnel to notify the emergency medical services board of convictions and pending charges of commission of a felony or misdemeanor within 10 business days of the occurrence of such actions. - Amends TCA Title 68, Chapter 140. (HB2603/SB2675)
- 862** Abortion - As enacted, requires, in cases where an ultrasound is performed as part of an examination prior to an abortion, the person who performs the ultrasound to offer the woman the opportunity to learn the results of the ultrasound; requires, if ultrasound is performed, that report of abortion indicate whether or not a heartbeat was detected. - Amends TCA Title 39, Chapter 15, Part 2 and Title 68, Chapter 11, Part 2. (HB108/SB244)
- 863** Taxes, Real Property - As enacted, specifies that a property tax lien does not attach to an easement appurtenant upon property that is a servient estate or to an easement in gross that was assessed separately from the property by either the county assessor of property or the office of state assessed properties in the office of the comptroller of the treasury. - Amends TCA Title 7; Title 8; Title 21; Title 26; Title 35; Title 40; Title 66 and Title 67. (HB601/SB492)
- 864** TennCare - As enacted, requires the bureau of TennCare to promulgate rules to promote the safe and responsible coverage of opioids for TennCare members who have the TennCare pharmacy benefit; requires report on rules to the general assembly. - Amends TCA Title 71. (HB901/SB1227)
- 865** Handgun Permits - As enacted, exempts from the firing range and classroom hours requirements to obtain a handgun carry permit anyone who in the five years preceding the date of application has successfully completed a department of correction firearms qualification. - Amends TCA Section 39-17-1351. (HB1038/SB2418)
- 866** Criminal Offenses - As enacted, establishes what constitutes a reasonable expectation of privacy for purposes of the offense of unlawful photographing in violation of privacy. - Amends TCA Title 39, Chapter 13; Title 39, Chapter 17 and Title 40, Chapter 35. (HB1140/SB488)
- 867** Election Laws - As enacted, requires, if the county election commission has arranged for the use of a public school or a public charter school as a polling place for a regular November election, that the LEA or the public charter school be closed for instruction on the election day; authorizes an LEA or public charter school to choose to be open or closed for instruction on election days other than days on which a regular November election occurs. - Amends TCA Title 2; Title 6 and Title 49. (HB1344/SB1399)

- 868** Local Government, General - As enacted, authorizes county, municipal, and metropolitan mayors and chief executives to issue evacuation orders during a local state of emergency; creates Class C misdemeanor of willfully violating an evacuation order. - Amends TCA Title 38, Chapter 9 and Title 58. (HB1494/SB2205)
- 869** TennCare - As enacted, requires that an amendment to the existing TennCare II waiver be submitted to the federal centers for medicare and medicaid services (CMS) authorizing the bureau of TennCare to create reasonable work and community engagement requirements for able-bodied working age adult enrollees without dependent children under the age of six. - Amends TCA Title 71. (HB1551/SB1728)
- 870** Agriculture - As enacted, authorizes the creation of a corn promotion board and an assessment of one cent per bushel sold if a majority of corn producers voting in a referendum on the question vote in favor of such measures. - Amends TCA Title 43. (HB1601/SB1709)
- 871** Eminent Domain - As enacted, revises provisions governing condemned property being offered for sale to the former owner. - Amends TCA Section 29-17-1005. (HB1727/SB1496)
- 872** Civil Procedure - As enacted, establishes provisions governing abusive civil actions. - Amends TCA Title 29. (HB1793/SB1601)
- 873** Insurance Companies, Agents, Brokers, Policies - As enacted, enacts the "Corporate Governance Annual Disclosure Act" and revises various provisions of insurance laws. - Amends TCA Title 9 and Title 56. (HB1808/SB2232)
- 874** TennCare - As enacted, revises and extends, until June 30, 2019, the ground ambulance service provider assessment. - Amends TCA Title 5; Title 7; Title 56; Title 68 and Title 71. (HB1837/SB1823)
- 875** Adoption - As enacted, revises various provisions governing adoption. - Amends TCA Title 36 and Title 37, Chapter 5. (HB1856/SB1851)
- 876** Criminal Procedure - As enacted, lowers the expunction fee from \$350 to \$180 for a defendant whose charge was dismissed due to successful completion of a pretrial diversion program. - Amends TCA Section 40-32-101. (HB1862/SB2626)
- 877** Education, Higher - As enacted, designates the state colleges of applied technology at Chattanooga as part of the statewide system of state colleges of applied technology and authorizes the board of regents to establish additional state colleges of applied technology or to combine existing state colleges of applied technology as needed to improve operational and administrative efficiencies. - Amends TCA Title 49. (HB1894/SB1839)
- 878** Capitol - As enacted, administratively attaches the David Crockett commission to the department of finance and administration; creates a separate account within the treasury to be used to erect a monument; authorizes state and private funds to be used to erect a monument with intent that no state funds be used until private funding exhausted. - Amends TCA Title 4, Chapter 8, Part 4. (HB1905/SB1868)
- 879** Local Government, General - As enacted, enacts the "Stopping Addiction and Fostering Excellence (SAFE) Act," which authorizes cities, towns, and metropolitan governments to adopt certain ordinances regarding sober living homes. - Amends TCA Title 13, Chapter 24, Part 1. (HB1929/SB2214)

- 880** Firearms and Ammunition - As enacted, allows county commissioner in the actual discharge of the commissioner's duties who has a valid handgun carry permit to carry in buildings in which county commission meetings are held, but not in room in which judicial proceeding in progress; not applicable to member of legislative body of metropolitan government. - Amends TCA Title 39, Chapter 17, Part 13. (HB1939/SB1500)
- 881** Education - As enacted, establishes requirements to apply in situations where an assessment is misadministered by fault of the assessment provider; establishes other provisions in regard to required assessments and use of data. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6. (HB1981/SB1623){**Appendix "G"**}
- 882** Local Education Agencies - As enacted, directs LEAs to require schools to provide each high school student in grades 9-12 with a Scholars Prep Guide upon registering for a course. - Amends TCA Title 49, Chapter 6. (HB1988/SB2039)
- 883** Controlled Substances - As enacted, requires health care prescribers to issue prescriptions for Schedule II controlled substances electronically by July 1, 2020, with certain exceptions; establishes other provisions regarding electronic prescriptions. - Amends TCA Title 53; Title 56; Title 63 and Title 68. (HB1993/SB2191)
- 884** Criminal Procedure - As enacted, revises and makes permanent and applicable statewide the Knox County pilot project that allows indigent criminal defendants to pay their court costs and litigation taxes through the performance of public service. - Amends TCA Title 40 and Title 55. (HB2024/SB2063)
- 885** Bail, Bail Bonds - As enacted, requires bounty hunters to wear clothing that clearly identifies the person as a bounty hunter and prominently displays the words "bounty hunter" any time a bounty hunter is engaged in the functions of bounty hunting. - Amends TCA Title 39 and Title 40, Chapter 11. (HB2039/SB2006)
- 886** Teachers, Principals and School Personnel - As enacted, increases, from five days to any accumulated, the amount of sick leave that may be used by an educator who is a member of any reserve component of the United States armed forces when called into active duty. - Amends TCA Title 8, Chapter 33 and Title 49, Chapter 5. (SB2049/SB2052)
- 887** Trusts - As enacted, clarifies circumstances under which a trust may be construed as a total return unitrust. - Amends TCA Title 35, Chapter 6. (HB2052/SB2172)
- 888** TennCare - As enacted, enacts the "Annual Coverage Assessment of 2018." - Amends TCA Title 71, Chapter 5 and Chapter 364 of the Public Acts of 2017. (HB2084/SB2026)
- 889** County Officers - As enacted, revises provisions governing in-service course time for constables. - Amends TCA Section 8-10-202. (HB2141/SB2054)
- 890** Industrial Development - As enacted, revises provisions governing allocation of certain payments in lieu of taxes and the Tennessee central economic authority. - Amends TCA Section 67-9-102. (HB2161/SB2024)
- 891** Alcoholic Beverages - As enacted, authorizes the City of Cedar Hill in Robertson County to hold a referendum to authorize the retail sale of alcoholic beverages in

- package stores and for consumption on the premises. - Amends TCA Title 57, Chapter 3 and Title 57, Chapter 4. (HB2175/SB2478)
- 892** Taxes, Exemption and Credits - As enacted, allows for the angel investor tax credit being measured by the value of an indirect or direct cash investment by an angel investor against the Hall income tax liability of the angel investor. - Amends TCA Section 67-2-125. (HB2217/SB2647)
- 893** Drugs, Prescription - As enacted, authorizes a pharmaceutical manufacturer or its representatives to engage in truthful promotion of off-label uses. - Amends TCA Title 4; Title 7; Title 33; Title 53; Title 63; Title 68 and Title 71. (HB2220/SB2361)
- 894** Education, Higher - As enacted, enacts the "Transparency in Higher Education Act, which requires each state institution of higher education to notify parents of enrolled students of the parent's right to view student records under the federal Family Educational Rights and Privacy Act of 1974 on the institution's website. - Amends TCA Title 49. (HB2230/SB2180)
- 895** Education - As enacted, requires that each year at least 30 percent, instead of 70 percent, of the items on state assessments in grades 3-8 and end of course examinations in high school be fresh, nonredundant items that did not appear on the tests in the previous two years, instead of the previous four years for grades 3-8 and the previous three years for high school tests. - Amends TCA Section 49-1-610. (HB2247/SB1835)
- 896** Taxes, Sales - As enacted, extends the deadline by which a distressed rural county must apply to be eligible to retain the sales and use tax generated from a commercial development district from December 31, 2016, to December 31, 2020. - Amends TCA Title 67, Chapter 6. (HB2250/SB2228)
- 897** Public Records - As enacted, revises the reviewing and reporting duties of the advisory committee on open government and the office of open records counsel. - Amends TCA Title 8, Chapter 4, Part 6. (HB2287/SB2152)
- 898** Sexual Offenders - As enacted, allows a sexual offender whose victim was a minor to obtain sexual offender treatment in a location that is within 1,000 feet of a school, child care facility, public park, playground, recreation center, or public athletic field. - Amends TCA Title 40, Chapter 39, Part 2. (HB2323/SB2313)
- 899** Public Employees - As enacted, updates the compensation schedule for assistant district attorneys general, assistant public defenders, district investigators for public defenders, and criminal investigators for district attorneys to reflect the current schedule; updates the base salary for district attorneys general and public defenders. - Amends TCA Title 8 and Title 16. (HB2325/SB2677)
- 900** Students - As enacted, prohibits the use of corporal punishment against a student with a disability who has an IEP or a Section 504 plan, with certain exceptions. - Amends TCA Title 49. (HB2330/SB2330)
- 901** Controlled Substances - As enacted, requires a prescriber to provide certain information prior to prescribing more than a three-day supply of an opioid or an opioid dosage that exceeds a total of a 180 morphine milligram equivalent dose to a woman of childbearing age. - Amends TCA Title 53 and Title 63. (HB2348/SB2674)
- {Appendix "B"}**

- 902** Public Contracts - As enacted, authorizes state procurement agencies to enter into an energy performance or guaranteed energy savings contract using alternative procurement or contracting vehicles for purposes of developing and implementing up to five energy performance or guaranteed energy savings contract pilot projects for state-owned buildings and facilities. - Amends TCA Title 4 and Title 12. (HB2432/SB2397)
- 903** Firearms and Ammunition - As enacted, revises various provisions regarding firearms including making consistent the effect that restoration of citizenship has upon the possession and purchase of firearms and the obtaining of a handgun carry permit. - Amends TCA Title 39, Chapter 17, Part 13. (HB2464/SB2316)
- 904** State Employees - As enacted, revises provisions governing appeals under state service laws. - Amends TCA Title 8, Chapter 30. (HB2469/SB2166)
- 905** Child Custody and Support - As enacted, allows a prevailing party to recover reasonable attorney's fees in a criminal or civil contempt action to enforce a decree of alimony, child support, or custody. - Amends TCA Title 36, Chapter 5. (HB2526/SB2120)
- 906** Firearms and Ammunition - As enacted, authorizes an LEA to offer a noncompulsory gun safety class or program for students in elementary school; prohibits the use or presence of live ammunition or live fire. - Amends TCA Title 49, Chapter 6. (HB2550/SB2609)
- 907** State Employees - As enacted, revises provisions governing the use of leave by state employees. - Amends TCA Title 4; Title 8; Title 9, Chapter 4, Part 53; Title 10; Title 11; Title 12; Title 41; Title 50 and Title 54. (HB2590/SB2379)
- 908** Municipal Government - As enacted, revises provisions governing city manager-commission charters in regard to the election of commissioners in Fairview. - Amends TCA Title 6, Chapter 18; Title 6, Chapter 19; Title 6, Chapter 20; Title 6, Chapter 21; Title 6, Chapter 22 and Title 6, Chapter 23. (HB2637/SB2490)
- 909** Public Funds and Financing - As enacted, authorizes obligations guaranteed as to principal and interest by Freddie Mac, Fannie Mae, Sallie Mae, and other similar organizations as instruments for investment to be made by the treasurer. - Amends TCA Section 9-4-612. (HB2688/SB2156)
- 910** Local Education Agencies - As enacted, requires LEAs to provide written notice to a student's parents or legal guardians before the student participates in any mental health screening. - Amends TCA Title 49. (HB2690/SB2029)
- 911** Taxes, Ad Valorem - As enacted, authorizes governing bodies to exclude from taxable value of property appearing on the assessment roll, the taxable value of properties subject to tax increment financing and properties within areas where an economic impact plan has been approved. - Amends TCA Title 67. (SB1923/HB1952)
- 912** Alcoholic Beverages - As enacted, designates certain facilities located in Williamson County as premier type tourist resorts for purposes of on-premises sales of alcoholic beverages. - Amends TCA Title 57, Chapter 4. (SB1941/HB2015)
- 913** Liens - As enacted, creates a streamlined process for certain public officials to contest liens on real property that they believe to lack any legal basis. - Amends TCA Section 47-9-513 and Title 66, Chapter 21, Part 1. (SB1971/HB1772)

- 914** Criminal Offenses - As enacted, enacts the "Tennessee Stolen Valor Act". - Amends TCA Title 39, Chapter 16, Part 3 and Section 58-1-602. (SB2030/HB2130)
- 915** Utilities, Utility Districts - As enacted, authorizes the board of commissioners of utility district in Blountville to increase the pay for each commissioner per meeting from \$300 to \$350 by resolution of the board. - Amends TCA Title 7, Chapter 82. (SB2043/HB2136)
- 916** Hospitals and Health Care Facilities - As enacted, classifies certain types of records received by the department of health or the attorney general and reporter from the recipients or applicants of a certificate of public advantage for a cooperative agreement issued under the Hospital Cooperation Act of 1993 as not subject to disclosure under the public records law. - Amends TCA Title 10, Chapter 7 and Title 68, Chapter 11, Part 13. (SB2048/HB2020)
- 917** Sentencing - As enacted, prohibits a sentencing court from making a sentencing determination based in whole or in part on defendant's consent or refusal to consent to any form of temporary or permanent birth control, sterilization, or family planning services regardless of whether the defendant's consent is voluntarily given; prohibits courts accepting a guilty plea agreement or plea of nolo contendere, or imposing a sentence, if any part of the plea or sentence is in whole or in part conditioned or based upon the criminal defendant submitting to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given. - Amends TCA Title 40. (SB2133/HB2520)
- 918** Capitol - As enacted, directs the state capitol commission, subject to funding from nonstate sources, to place a POW-MIA Chair of Honor on the capitol grounds. (SB2159/HB2138)
- 919** Taxes, Exemption and Credits - As enacted, enacts the "Tennessee Visual Content Modernization Act of 2018". - Amends TCA Title 4, Chapter 3, Part 49 and Title 4, Chapter 3, Part 50. (SB2236/HB1812)
- 920** Local Education Agencies - As enacted, changes the manner for which LEAs using the uniform grading system for lottery scholarship purposes, but another grading system based on quality points for other purposes, must award additional quality points for honors and other advanced courses. - Amends TCA Section 49-6-407. (SB2314/HB2324)
- 921** Courts, General Sessions - As enacted, authorizes Unicoi County to employ a general sessions court judge full time at an increased salary upon adoption of resolution by two-thirds majority vote of the county legislative body. - Amends TCA Title 16, Chapter 15, Part 50. (SB2370/HB2276)
- 922** Municipal Government - As enacted, authorizes the City of Hendersonville to add the storm water user's fee to the real property tax notice, subject to passage of an ordinance by a two-thirds majority of the legislative body. - Amends TCA Section 67-5-103. (SB2420/HB2635)
- 923** Motor Vehicles, Titling and Registration - As enacted, exempts certain active, volunteer firefighters and rescue squad members from payment of the regular registration fee at the time of renewal for license plate issued to the volunteer firefighter or rescue squad member; authorizes a county legislative body to waive the

- motor vehicle tax for motor vehicles receiving the exemption from the registration fee, if the waiver is approved in the same manner as the adoption of the motor vehicle tax. - Amends TCA Title 55, Chapter 4. (SB270/HB268)
- 924** Taxes - As enacted, exempts methanol from gasoline and petroleum taxes and sales and use taxes when not blended or composed of other motor fuels. - Amends TCA Title 9; Title 54; Title 55 and Title 67. (SB692/HB298)
- 925** Criminal Offenses - As enacted, revises the punishment for the assaultive offenses under certain circumstances; revises provisions governing the reporting of conduct by an inmate against a correctional officer, guard, jailer, or other full-time employee of a penal institution, local jail, or workhouse, that would constitute an assault. - Amends TCA Title 39 and Title 40. (SB949/HB1028)
- 926** Motor Vehicles, Titling and Registration - As enacted, creates a "5th Special Forces Group (Airborne)" military license plate for issuance to current or former members of the unit and spouses or children of such members. - Amends TCA Title 55, Chapter 4. (SB1474/HB1497)
- 927** Sunset Laws - As enacted, extends the Tennessee film, entertainment and music commission for four years to June 30, 2022. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3, Part 50. (SB1560/HB1638)
- 928** Sunset Laws - As enacted, reduces by one year the entity review period of the human rights commission by changing the entity termination date from June 30, 2021 to June 30, 2020. - Amends TCA Title 4, Chapter 21 and Title 4, Chapter 29, Part 2. (SB1567/HB1662)
- 929** Administrative Procedure (UAPA) - As enacted, clarifies definitions of "rule" and "policy" for rulemaking purposes and revises other administrative procedures. - Amends TCA Title 4, Chapter 5. (SB1572/HB1895){**Appendix "H"**}
- 930** Tickets, Admission - As enacted, adds as an act that constitutes the offense of engaging in a deceptive business practice, a violation of the Tennessee Trade Mark Act, and a violation of the Tennessee Consumer Protection Act the use of the trade name or trademark, or a confusingly similar trade name or trademark of any place of entertainment, or the name of any event, person, or entity scheduled to perform at a place of entertainment in the domain or subdomain of a ticket marketplace URL. - Amends TCA Title 39; Title 47 and Title 67. (SB1640/HB2139)
- 931** Notary Public - As enacted, revises various provisions regarding electronic acknowledgments and enacts the "Online Notary Public Act". - Amends TCA Title 8 and Title 66. (SB1758/HB1794)
- 932** Education, Higher - As enacted, transfers operation of the Tennessee Foreign Language Institute from the Institute's board to the Institute for Public Service of the University of Tennessee; renames the institute to be the Tennessee Foreign Language Center; makes other related changes, - Amends TCA Title 49. (SB1842/HB2198)
- 933** Alcoholic Beverages - As enacted, revises various provisions regarding alcoholic beverages, including provisions regarding delivery and provisions governing the alcoholic beverage commission. - Amends TCA Title 57. (SB1866/HB2191)
- 934** Sentencing - As enacted, enacts "Henry's Law," which requires that a person convicted for second degree murder resulting from unlawful distribution of Schedule

- I or II drug where victim is a minor be punished from within one range higher than the sentencing range otherwise appropriate for the person. - Amends TCA Section 39-13-210 and Title 40, Chapter 35. (SB1875/HB1936)
- 935** Education, State Board of - As enacted, requires a director of schools, director of public charter school, or director of a nonpublic school who learns of the conviction of a licensed educator employed by the LEA for certain offenses to report the conviction to the state board; authorizes the state board to reprimand such a director for failure to report; enacts other related provisions. - Amends TCA Title 8 and Title 49. (SB2011/HB2009)
- 936** Education, State Board of - As enacted, requires the state board of education to develop a policy for transmittal of final disciplinary actions on educator licenses to the national clearinghouse administered by the National Association of State Directors of Teacher Education and Certification (NASDTEC); requires the state board to post on its website all of its final disciplinary actions on educator licenses. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 5. (SB2012/HB2099)
- 937** Teachers, Principals and School Personnel - As enacted, revises the teacher code of ethics; requires annual professional development for teachers on the teacher code of ethics; requires teacher preparation programs to include training for all students on the teacher code of ethics. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6. (SB2013/HB2165)
- 938** Local Education Agencies - As enacted, prohibits LEAs from entering into a non-disclosure agreement during, or as a prerequisite to, settlement for any act of sexual misconduct; prohibits employees from assisting others in obtaining employment if the employee knows that the person has engaged in sexual misconduct involving a minor or student. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6. (SB2015/HB2433)
- 939** Public Records - As enacted, makes confidential certain records of a food-based business incubation service provider created by a municipality. - Amends TCA Section 10-7-504. (SB2049/HB2213)
- 940** Zoning - As enacted, revises provisions governing the grandfathering of certain properties in regard to land use restrictions and other related provisions regarding replacing facilities in certain circumstances. - Amends TCA Title 7 and Title 13. (SB2067/HB2098)
- 941** Auctions and Auctioneers - As enacted, creates the Tennessee Task Force on Auction Law Modernization. - Amends TCA Title 62, Chapter 19. (SB2081/HB2036)
- 942** Administrative Procedure (UAPA) - As enacted, continues permanent rules filed with the secretary of state on or after January 1, 2017. - Title 4, Chapter 5. (SB2295/HB2328)
- 943** Finance and Administration, Dept. of - As enacted, requires the department to establish a procedure under the CoverKids Act that sends an email notice to an enrollee, or the parent or legal guardian of the enrollee stating that the enrollee must redetermine eligibility for the program; specifies that email notice is required only when the department has an email address for the enrollee of the parent or guardian of the enrollee. - Amends TCA Title 71. (SB2312/HB2608)

- 944** Beer - As enacted, authorizes Montgomery County to control the issuance, revocation, and suspension of licenses for the storage, sale, manufacture, and distribution of beer within a park owned by the county that is in the municipal boundaries of Clarksville; clarifies reference to local governmental entity in certain provision regarding beer permits. - Amends TCA Title 57, Chapter 5. (SB2331/HB2280)
- 945** Drug and Alcohol Rehabilitation - As enacted, authorizes county or district health department to operate a needle and hypodermic syringe exchange program on petition of the county legislative body and approval by the department of health. - Amends TCA Title 68. (SB2359/HB2675)
- 946** Education, Dept. of - As enacted, requires the department to establish in at least two public schools a three-year pilot program to improve parent-teacher engagement in any grade from kindergarten through grade two. - Amends TCA Title 49, Chapter 6. (SB2571/HB2060)
- 947** Economic and Community Development, Dept. of - As enacted, directs the commissioner to report to the local government committee of the house of representatives and the state and local government committee of the senate each year on or before January 15 concerning the department's financial and program monitoring of the use of federal community development block grant funding to counties and municipalities from the United States department of housing and community development for disaster resilience purposes. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 13; Title 64; Title 68 and Title 69. (SB2628/HB2104)
- 948** Education - As enacted, provides that any voluntary association that establishes and enforces bylaws or rules for interscholastic sports competition for secondary schools in this state is subject to an annual audit by the comptroller of the treasury; enacts other provisions regarding school athletics associations. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6. (SB2662/HB2670)
- 949** Transportation, Dept. of - As enacted, revises and enacts provisions governing the sale of surplus real property by the department. - Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 12, Chapter 2. (SB2696/HB1732)
- 950** Alcoholic Beverages - As enacted, designates The Caverns in Grundy County and the South Jackson Civic Center in Tullahoma as a premier type tourist resorts for purposes of selling alcoholic beverages for consumption on premises. - Amends TCA Section 57-4-102. (SB2706/HB2692)
- 951** Criminal Procedure - As enacted, prohibits a person charged with incest from participating in judicial diversion. - Amends TCA Section 40-35-313. (HB149/SB280)
- 952** Taxes, Exemption and Credits - As enacted, directs the Tennessee advisory commission on intergovernmental relations (TACIR) to perform a study of the potential, overall effects of creating a franchise and excise tax credit for shippers with pickups or deliveries originating in, or destined to, Shelby County. - Amends TCA Title 55 and Title 67. (HB1345/SB1277)
- 953** Motor Vehicles - As enacted, subject to certain federal approval, abolishes certain vehicle inspection and maintenance programs to maintain compliance with national ambient air quality standards and enacts related provisions. - Amends TCA Title 55 and Title 68. (HB1782/SB2656)

- 954** Licenses - As enacted, exempts certain low-income persons from initial licensure fees imposed by certain health related boards and professional regulatory boards. - Amends TCA Title 3, Chapter 6, Part 3; Title 23, Chapter 3; Title 49; Title 56; Title 62; Title 63 and Title 68. (HB1805/SB2474)
- 955** Human Services, Dept. of - As enacted, establishes the state palliative care and quality of life council to advise the executive director of the Tennessee commission on aging and disability on issues related to palliative care. - Amends TCA Title 4, Chapter 29 and Title 71, Chapter 2. (HB2118/SB2561)
- 956** Local Government, General - As enacted, authorizes online education courses as a method of compliance for continuing education requirements mandated for commissioners of a municipal utility board; requires the comptroller of the treasury to offer online education courses, beginning no later than March 1, 2019, for the purposes of compliance with continuing education requirements; enacts other related provisions. - Amends TCA Section 7-34-115. (HB2338/SB2292)
- 957** Taxes, Real Property - As enacted, authorizes a nonprofit children's hospital located in Knox County or within a municipality located within Knox County to claim and file a property tax exemption as a religious, charitable, scientific, or nonprofit educational institution or as an educational institution. - Amends TCA Title 67, Chapter 5. (HB2356/SB2276)
- 958** Students - As enacted, revises and updates law regarding school attendance and truancy and discipline. - Amends TCA Title 49, Chapter 6, Part 30; Title 49, Chapter 6, Part 34 and Title 49, Chapter 6, Part 40. (HB2376/SB2381)
- 959** Taxes - As enacted, enacts the "Event Tourism Act". - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 9; Title 11; Title 57 and Title 67. (HB2384/SB2380)
- 960** Landlord and Tenant - As enacted, classifies as material noncompliance and default by a tenant with a rental agreement, if the tenant pretends to have a disability-related need for an assistance animal in order to obtain an exception to a provision in a rental agreement that prohibits pets or establishes limits on the types of pets that tenants may possess on residential rental property. - Amends TCA Title 4, Chapter 21; Title 13, Chapter 20; Title 33; Title 39; Title 44, Chapter 17; Title 44, Chapter 8, Part 4 and Title 66. (HB2439/SB2556)
- 961** DUI Offenses - As enacted, revises provisions governing the examination of specimen collected for determining the presence of drugs and alcohol. - Amends TCA Title 39, Chapter 13; Title 40, Chapter 7, Part 1 and Title 55, Chapter 10, Part 4. (HB2450/SB2526)
- 962** Tort Liability and Reform - As enacted, declares settlement agreement provisions that have purpose or effect of concealing details relating to claim of child sexual abuse, except for identifying information concerning victim, as void and unenforceable and contrary to public policy of state. - Amends TCA Title 20 and Title 29, Chapter 34, Part 1. (HB2523/SB2426)
- 963** Taxes, Sales - As enacted, specifies that any entity that qualifies for exemption as a spallation neutron source facility will not be eligible for a sales and use tax exemption with regard to any industrial machinery that is used in operation of a qualified data center or used primarily for research and development; provides exception for a leadership computing facility that is funded by the United States government or

- instrumentality thereof, not funded with any state funds, and located at a national laboratory. - Amends TCA Title 7; Title 9; Title 13 and Title 67, Chapter 6. (HB2531/SB2266)
- 964** Child Abuse - As enacted, requires the department of children's services to develop instructional guidelines for child safety training programs for members of professions that frequently deal with children who may be at risk of abuse. - Amends TCA Title 37, Chapter 1, Part 4; Title 49, Chapter 5, Part 1; Title 63, Chapter 23; Title 63, Chapter 6, Part 2; Title 63, Chapter 7, Part 1 and Title 63, Chapter 9. (HB2606/SB2405)
- 965** Employees, Employers - As enacted, prohibits public and private employers from requiring an employee or prospective employee to execute a non-disclosure agreement with respect to sexual harassment in the workplace as a condition of employment. - Amends TCA Title 50, Chapter 1, Part 1. (HB2613/SB2328)
- 966** Human Rights - As enacted, creates the Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center. - Amends TCA Title 3; Title 4 and Title 62. (HB2624/SB2631)
- 967** General Assembly - As enacted, designates the public space constructed on top of the parking garage attached to the Cordell Hull Building as the "Beth Harwell Plaza"; designates the new tunnel that connects the Cordell Hull Building to the State Capitol as the "Ron Ramsey Tunnel". - Amends TCA Title 3. (HB2643/SB2489)
- 968** Sunset Laws - As enacted, terminates the Tennessee health information committee. - Amends TCA Title 4, Chapter 29, Part 2 and Section 56-2-125. (SB105/HB259)
- 969** Boats, Boating - As enacted, adds provisions regarding regulation of non-motorized vessels; deletes provision that exempts renters of watercraft who have completed a safety orientation from the requirement that any person born after January 1, 1989, who operates any vessel must successfully complete a boating safety examination and receive a certificate from the Tennessee wildlife resources agency or be accompanied on the vessel by a person who was born on or before January 1, 1989, or is 18 years of age or older and is certified to operate a vessel. - Amends TCA Title 4; Title 11, Chapter 3; Title 39; Title 47; Title 56; Title 67; Title 68; Title 69 and Title 70. (SB1335/HB785)
- 970** Criminal Offenses - As enacted, revises the Freedom from Unwarranted Surveillance Act. - Amends TCA Title 39 and Title 40. (SB1993/HB2256)
- 971** Taxes, Ad Valorem - As enacted, specifies that aged whiskey barrels, during the time in which such barrels are owned or leased by a person that produces or manufactures whiskey in those barrels, are considered, and have always been considered, "articles manufactured from the produce of this state, or any other state of the union, in the hands of the manufacturer", for purposes of exemption from property taxation. - Amends TCA Title 67. (SB2076/HB2038)
- 972** Real Property - As enacted, enacts the "Short-Term Rental Unit Act"; clarifies that a short-term rental unit is not considered a "hotel" under the Hotel and Public Swimming Pool Inspection Act. - Amends TCA Title 5; Title 6; Title 7; Title 13; Title 56; Title 62; Title 66; Title 67 and Title 68. (HB1020/SB1086){**Appendix "I"**}
- 973** Immigration - As enacted, prohibits state and local governmental entities and officials from adopting sanctuary policies; enacts other related provisions. - Amends

TCA Title 4; Title 7; Title 8; Title 9; Title 38; Title 39 and Title 40. (HB2315/SB2332)
{Appendix "J"}

- 974** Judicial Districts - As enacted, creates one additional trial court each in the sixteenth, nineteenth, and twenty-first judicial districts; requires the speaker of the senate and the speaker of the house to establish an advisory task force to review the composition of Tennessee's current judicial districts. - Amends TCA Title 8, Chapter 14; Title 8, Chapter 7; Title 16; Title 17; Title 18, Chapter 4 and Title 18, Chapter 5. (SB5/HB10)
- 975** Criminal Offenses - As enacted, includes within the offense of especially aggravated stalking a person 18 years of age or older who commits the offense of stalking or aggravated stalking against a victim who is less than 12 years of age at any time during the person's course of conduct. - Amends TCA Section 39-17-315. (SB200/HB294)
- 976** Education, Curriculum - As enacted, enacts the "Tom Cronan Physical Education Act". - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6. (SB558/HB372)
- 977** Water Pollution - As enacted, requires each local board of education to develop a policy to implement a program to reduce the potential sources of lead contamination in drinking water in public schools that incorporates periodic, not to exceed biennial, testing of lead levels in drinking water sources at school facilities that were constructed prior to January 1, 1998. - Amends TCA Title 49; Title 68 and Title 69. (SB619/HB631)
- 978** Controlled Substances - As enacted, makes various changes and additions to law concerning opioids; creates task force with duty to promulgate rules that create a uniform minimum disciplinary action that will apply to any healthcare practitioner who treats a human patient with an opioid and that healthcare practitioner's licensing board or agency finds that the healthcare practitioner engaged in a significant deviation or pattern of deviation from sound medical judgment; requires comptroller to conduct certain studies. - Amends TCA Title 4; Title 33; Title 49; Title 53; Title 56; Title 63; Title 68 and Title 71. (SB777/HB717)**{Appendix "B"}**
- 979** Barbers and/or Cosmetologists - As enacted, authorizes a licensed cosmetologist, manicurist, aesthetician, or natural hair stylist to practice such occupations in a recipient's residence, short-term residence, or place of business. - Amends TCA Title 62. (SB797/HB710)
- 980** Education, Higher - As enacted, enacts the "Student Due Process Protection Act". - Amends TCA Title 4, Chapter 5; Title 10, Chapter 7; Title 24 and Title 49. (SB824/HB789)
- 981** Disabled Persons - As enacted, authorizes department of safety to issue, upon request, special designation on driver and photo identification licenses for person with acquired brain injury, intellectual disability, or developmental disability; establishes certain procedures for law enforcement interactions with persons with such a condition. - Amends TCA Title 38; Title 40 and Title 55. (SB1109/HB1110)
- 982** General Services, Dept. of - As enacted, requires the department to establish a state vehicle abuse hotline and website; requires that vehicles leased and owned by the state have decals providing a telephone number or website information for

- complaints. - Amends TCA Title 3; Title 4; Title 8; Title 12; Title 54; Title 55; Title 56 and Title 71. (SB1281/HB655)
- 983** Child Abuse - As enacted, requires the department of children's services to develop guidelines on the best practices for identifying and reporting signs of child abuse, child sexual abuse, and human trafficking in which the victim is a child; requires the department of education to use the guidelines to identify child abuse training programs appropriate for teachers; requires local education agencies and public charter schools to ensure teachers complete a child abuse training program. - Amends TCA Title 37, Chapter 1, Part 4; Title 49, Chapter 5, Part 1; Title 63, Chapter 23; Title 63, Chapter 6, Part 2; Title 63, Chapter 7, Part 1 and Title 63, Chapter 9. (SB1302/HB1337)
- 984** Health Care - As enacted, creates the Tennessee Task Force on Lupus Education and Awareness. - Amends TCA Title 4; Title 33; Title 50; Title 56; Title 63 and Title 68. (SB1387/HB1307)
- 985** Special License Plates - As enacted, authorizes issuance of government service license plates for vehicles leased by governmental entities. - Amends TCA Section 55-4-223. (SB1479/HB1476)
- 986** Intellectual & Developmental Disabilities - As enacted, revises certain provisions regarding eligible persons on referral list for services. - Amends TCA Title 33 and Title 71. (SB1494/HB1542)
- 987** Sunset Laws - As enacted, extends the department of correction for two years to June 30, 2020; requires the department to appear before the government operations joint evaluation committee on judiciary and government no later than December 31, 2018, to update the committee on the department's progress in addressing the findings set forth in the November 2017 performance audit report. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (SB1529/HB1623)
- 988** Sunset Laws - As enacted, extends the real estate commission for two years to June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 13. (SB1549/HB1657)
- 989** Boards and Commissions - As enacted, creates appointment process for vacant citizen member positions on the Tennessee peace officer standards and training commission. - Amends TCA Title 4 and Title 38, Chapter 8, Part 1. (SB1583/HB1565)
- 990** Special License Plates - As enacted, makes any person licensed as an amateur radio operator eligible to purchase an amateur radio special license plate, rather than allowing only certain persons to purchase such plates. - Amends TCA Title 6, Chapter 54, Part 1 and Title 55, Chapter 4, Part 2. (SB1588/HB1558)
- 991** Education - As enacted, creates a liability framework for an employer that accepts or employs a student who is participating in work-based learning coordinated through the student's LEA or a state institution of higher education, including, but not limited to, Tennessee colleges of applied technology; establishes a qualified work-based learning student grant program. - Amends TCA Title 49; Title 50, Chapter 6 and Title 67. (SB1649/HB1599)
- 992** Political Parties - As enacted, specifies that a person who is an honorably discharged veteran of the United States armed forces, a member of the Tennessee national guard, a member of the Tennessee air national guard, or an inactive reservist of any of the

- United States uniformed military services in good standing must not be disqualified as a candidate for any office if, for service-related reasons, that person was unable to comply with a statewide political party's or recognized minor party's rules for candidacy for nomination for such party, and such service-related reasons are the sole reason the person is unable to qualify. - Amends TCA Title 2, Chapter 13, Part 1. (SB1688/HB1938)
- 993** Criminal Offenses - As enacted, revises various provisions of the Organized Retail Crime Prevention Act. - Amends TCA Section 39-14-113. (SB1717/HB1722)
- 994** Transportation, Dept. of - As enacted, changes the fees the commissioner may charge for the movement of houseboats that exceed the maximum allowable width for motor vehicles. - Amends TCA Title 55, Chapter 7, Part 2. (SB1742/HB1751)
- 995** Criminal Offenses - As enacted, classifies as second degree murder the killing of another by unlawful distribution or unlawful delivery or unlawful dispensation of fentanyl or carfentanil, when those substances alone, or in combination with any scheduled controlled substance, including controlled substance analogs, are the proximate cause of the death of the user. - Amends TCA Section 39-13-210. (SB1787/HB2190)
- 996** Insurance Companies, Agents, Brokers, Policies - As enacted, exempts certain types of insurance from filing requirements of commercial risk insurers; revises the disclaimer that must be included in an application or policy that is issued to an exempt commercial risk policyholder. - Amends TCA Title 56. (SB1795/HB1598)
- 997** Public Employees - As enacted, enacts the "Tennessee Public Safety Behavioral Health Act." - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 50; Title 58; Title 63 and Title 68. (SB1797/HB1510)
- 998** Health, Dept. of - As enacted, authorizes, as a pilot project in Sullivan, Washington, Carter, Johnson, and Hawkins counties, the emergency medical services board to certify training programs for certain emergency medical services personnel operated by licensed ambulance services; enacts other related provisions. - Amends TCA Title 68, Chapter 140, Part 3. (SB1873/HB1758)
- 999** Forfeiture of Assets - As enacted, requires comptroller to audit use of civil asset forfeiture proceeds by local law enforcement agencies and judicial district drug task forces during regular audit of local government; requires department of safety to publish uses of forfeiture proceeds by department and results of comptroller's audit on department's website. - Amends TCA Title 8, Chapter 4 and Title 40, Chapter 33, Part 2. (SB1877/HB2143)
- 1000** Planning, Public - As enacted, revises certain provisions regarding adoption of subdivision regulations and platting authority. - Amends TCA Title 13. (SB1879/HB1920)
- 1001** Highway Signs - As enacted, directs the department of transportation to erect signs acknowledging each branch of the military within the segment designated as the "Veterans Memorial Mile" in Knox County; authorizes representatives from each branch to work with the department to donate money, trees, shrubs, flowers, or other installations for beautification or decorative purposes along the corridor. - Amends TCA Title 54; Title 55; Chapter 85 of the Public Acts of 2011 and Chapter 641 of the Public Acts of 2012. (SB1882/HB1858)

- 1002** Sports - As enacted, authorizes the Tennessee athletic commission to authorize international qualifying events for kickboxing to occur in this state as long as the events meet the standards required for such events by the World Association of Kickboxing Organizations or any subsequent entity recognized as the official kickboxing governing body by the International World Games Association. - Amends TCA Title 68, Chapter 115. (SB1890/HB1882)
- 1003** Utilities, Utility Districts - As enacted, authorizes certain municipalities to fund chambers of commerce and economic and community organizations with revenue from a natural gas utility system owned by the municipality; prohibits rate increase to cover contributions targeted for economic development efforts. - Amends TCA Title 7, Chapter 34. (SB1894/HB1914)
- 1004** Victims' Rights - As enacted, requires the secretary of state to establish a crime victim address confidentiality program for victims of domestic abuse, stalking, human trafficking, and sexual offenses; establishes how a substitute address may be used by a program participant in lieu of a confidential address. - Amends TCA Title 2; Title 10, Chapter 7; Title 39 and Title 40, Chapter 38. (SB1935/HB2025)
- 1005** Public Health - As enacted, enacts the "Suicide Mortality Review and Prevention Act of 2018." - Amends TCA Title 68, Chapter 3. (SB1949/HB1961)
- 1006** Teachers, Principals and School Personnel - As enacted, revises provisions governing background checks for teachers and other positions requiring proximity to children; requires participation in rap back program; enacts other related provisions. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 5. (SB2014/HB1997)
- 1007** Controlled Substances - As enacted, authorizes a partial fill of a prescription of a controlled substance; enacts other related provisions. - Amends TCA Title 53 and Title 63. (SB2025/HB2440)
- 1008** Safety - As enacted, enacts the "School Safety Act of 2018". - Amends TCA Title 4, Chapter 3; Title 16; Title 36, Chapter 3, Part 6; Title 38; Title 39; Title 40; Title 49; Section 50-3-201; Section 58-1-112; Section 70-4-123 and Section 70-5-101. (SB2059/HB2129)
- 1009** Environment and Conservation, Department of - As enacted, requires the department to maintain materials designed to assist municipal solid waste region board members with administering their regions and to publish such materials on its website and send an electronic copy of the materials to the appropriate appointing authorities by July 1, 2018. - Amends TCA Title 68, Chapter 211. (SB2108/HB2442)
- 1010** Alcoholic Beverages - As enacted, designates sports facilities at MTSU and TSU as "sports authority facility" for purposes of sales of alcoholic beverages and beer for consumption on the premises; specifies that ban on selling wine on Christmas, Thanksgiving, and Easter applies to retail food store wine licensees in addition to package stores. - Amends TCA Title 57. (SB2111/HB2275)
- 1011** Taxes - As enacted, extends from "June 30, 2023" to "June 30, 2028" the termination date for allocation of state sales tax revenue to municipalities under the former Courthouse Square Revitalization Pilot Project Act of 2005; revises other provisions governing taxation. - Amends TCA Title 67. (SB2119/HB2310)
- {Appendix "K"}**

- 1012** Insurance Companies, Agents, Brokers, Policies - As enacted, revises requirements regarding coverage for mental health, mental illness, and alcohol or drug dependency, and requires certain reports. - Amends TCA Title 8; Title 56; Title 68 and Title 71. (SB2165/HB2355)
- 1013** Taxes - As enacted, revises law concerning compensation of cities and counties for payments in lieu of taxes under the U.A. Moore Wetlands Acquisition Act. - Amends TCA Title 9; Title 11; Title 12 and Title 67. (SB2201/HB2274)
- 1014** Fairs - As enacted, revises the composition of the state fair board and one of the board's powers. - Amends TCA Title 4; Section 5-9-102 and Title 43. (SB2297/HB2483)
- 1015** Health Care - As enacted, revises provisions governing the reporting of a patient's involuntary commitment to an inpatient treatment facility to local law enforcement so that the information may be reported to the FBI-NICS Index and the department of safety; specifies that a pharmacy or pharmacist has the right to provide an insured information regarding the amount of the insured's cost share for a prescription drug. - Amends TCA Title 4; Title 7; Title 33; Title 53; Title 56; Title 63; Title 68 and Title 71. (SB2362/HB2219)
- 1016** TennCare - As enacted, excludes anxiety episodes and nonemergent depression episodes from episodes of care in any payment reform initiative involved with medical assistance. - Amends TCA Title 71. (SB2364/HB1541)
- 1017** Veterans - As enacted, lowers from \$610 to \$300 the maximum fee for the interment of an eligible veteran's spouse. - Amends TCA Title 46, Chapter 6. (SB2448/HB1308)
- 1018** Juvenile Offenders - As enacted, provides for the expunction of records of certain juveniles for adjudications involving conduct that would constitute the offense of prostitution or aggravated prostitution if the conduct upon which the conviction is based was found to have occurred as a result of the person being a victim of human trafficking. - Amends TCA Title 37 and Title 40, Chapter 32. (SB2505/HB2032)
- 1019** Criminal Offenses - As enacted, punishes the offense of promotion of prostitution as a Class D felony instead of Class E felony if the person being promoted has an intellectual disability. - Amends TCA Title 39, Chapter 13, Part 5. (SB2517/HB1930)
- 1020** Education - As enacted, creates the "Homeless Student Stability and Opportunity Gap Act." - Amends TCA Title 49 and Title 71. (SB2591/HB2303)
- 1021** Administrative Procedure (UAPA) - As enacted, revises law regarding venue for review of contested cases under the Uniform Administrative Procedures Act. - Amends TCA Title 4, Chapter 5, Part 3. (SB2603/HB2386){**Appendix "H"**}
- 1022** Lottery, Corporation - As enacted, requires the board of directors of the Tennessee education lottery corporation, no later than January 1, 2019, to establish a mechanism whereby a lottery ticket winner of a drawing-style game, with winnings of \$1 million dollars or more, may donate 10 percent of the total prize money to a 501(c)(3) or 501(c)(19) nonprofit organization. - Amends TCA Title 4, Chapter 51, Part 1. (SB2681/HB1733)
- 1023** Special License Plates - As enacted, authorizes various new special license plates and grants additional time for certain plates to meet the minimum order requirement;

- reorganizes the special license plates statutes; clarifies which plates are exempt from minimum order requirement. - Amends TCA Title 55. (SB2693/HB1521)
- 1024** Highways, Roads and Bridges - As enacted, provides for the naming of certain roads and bridges in honor of certain specified persons. - Amends TCA Title 54. (SB2694/HB1522)
- 1025** Juvenile Offenders - As enacted, enacts "Sienna's Law," which establishes requirements for the disposition of children adjudicated delinquent for certain offenses. - Amends TCA Title 37, Chapter 1. (SB2705/HB2691)
- 1026** Education - As enacted, provides that no adverse action may be taken against any student, teacher, school, or LEA based, in whole or in part, on student achievement data generated from the 2017-2018 TNReady assessments. - Amends TCA Title 49. (HB75/SB578){**Appendix "G"**}
- 1027** Alcoholic Beverages - As enacted, specifies that samples and sales of alcoholic beverages sold for consumption on the premises of a distillery are not subject to the 15 percent privilege tax on the sales price of alcoholic beverages sold for consumption on the premises; authorizes retail sales of alcoholic beverages within the boundaries of Tellico Village in Loudon County and authorizes the alcoholic beverage commission to issue a retailer's license to the 501(c) corporation that manages such location. - Amends TCA Title 57, Chapter 2; Title 57, Chapter 3 and Title 57, Chapter 4. (HB447/SB793)
- 1028** Education - As enacted, requires all public high schools to place automated external defibrillator (AED) devices in schools; encourages public middle and elementary schools and private schools to place AED devices in schools. - Amends TCA Title 49 and Title 68, Chapter 140, Part 4. (HB521/SB410)
- 1029** Pharmacy, Pharmacists - As enacted, requires board of pharmacy to promulgate rules regarding the board's oversight of facilities that manufacture, warehouse, and distribute medical devices; requires the board to form an advisory committee through the rulemaking process composed of medical device industry representatives and a representative of the department of economic and community development. - Amends TCA Title 63, Chapter 10. (HB630/SB1258)
- 1030** Local Government, General - As enacted, increases the authorized annual state contribution made to human resources agencies. - Amends TCA Title 13, Chapter 26. (HB955/SB1288)
- 1031** Budget Procedures - As enacted, requires that estimates of the state funding board be adopted by a majority vote. - Amends TCA Title 3; Title 4; Title 9 and Title 67. (HB1462/SB1589)
- 1032** Cemeteries - As enacted, requires proponent of a suit terminating land use as a cemetery to file notice with the historical commission prior to any hearing on the suit; requires the historical commission to establish a historic cemetery advisory committee. - Amends TCA Title 4, Chapter 11; Title 46, Chapter 4 and Title 46, Chapter 8. (HB1572/SB2519)
- 1033** Historical Sites and Preservation - As enacted, excludes from coverage under the Tennessee Heritage Protection Act of 2016 memorials under the control of an accredited museum, public library, or public archive in certain circumstances; revises other provisions of the Act. - Amends TCA Section 4-1-412. (HB1574/SB2520)

- 1034** Sunset Laws - As enacted, extends the department of intellectual and developmental disabilities for two years to June 30, 2020; requires the department to report back to the committee concerning the findings in its 2017 performance audit report. - Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. (HB1625/SB1531)
- 1035** Sunset Laws - As enacted, extends the regional transportation authority of Middle Tennessee for two years to June 30, 2020; requires the authority to report back to the committee by December 31, 2018 concerning the findings in its 2017 performance audit report. - Amends TCA Title 4, Chapter 29, Part 2 and Title 64, Chapter 8. (HB1664/SB1733)
- 1036** Education - As enacted, adds and revises various provisions governing teacher training programs. - Amends TCA Title 49, Chapter 5, Part 56. (HB1694/SB1629)
- 1037** Physicians and Surgeons - As enacted, clarifies that physicians can accept barter of goods or services as payment for healthcare services in certain circumstances. - Amends TCA Title 63. (HB1728/SB2363)
- 1038** State Employees - As enacted, revises provisions governing the employee suggestion award program, including award amount. - Amends TCA Title 4, Chapter 27. (HB1788/SB1919)
- 1039** Controlled Substances - As enacted, makes various changes to the requirements for prescribing, dispensing, and reporting of opioids. - Amends TCA Title 39, Chapter 17, Part 4; Title 41, Chapter 21, Part 2; Title 53 and Title 63. (HB1831/SB2257)
{Appendix "B"}
- 1040** Controlled Substances - As enacted, revises various provisions of law regarding the scheduling of controlled substances and their analogues and derivatives, including updated identifications of drugs categorized in Schedules I–V; authorizes sentence reduction credits for prisoners who successfully complete intensive substance use disorder treatment program. - Amends TCA Title 39, Chapter 17, Part 4; Title 41, Chapter 21, Part 2; Title 53 and Title 63. (HB1832/SB2258)**{Appendix "B"}**
- 1041** Controlled Substances - As enacted, clarifies that the present law that exempts certain oils containing cannabidiol and used for research or treatment of seizures or epilepsy will not be repealed on June 30, 2018. - Amends TCA Title 39, Chapter 17 and Title 43. (HB1883/SB1915)
- 1042** Liens - As enacted, provides that a real property owner who prevails in an action challenging the validity of a lien, including in a slander of title proceeding, will recover the person's reasonable attorney's fees, reasonable costs, liquidated damages in an amount equal to 10 percent of the fair market value of the property not to exceed \$100,000, and actual damages incurred by the owner; excludes actions brought to challenge lien based on loan agreement for which the encumbered property was listed as collateral to secure the repayment of a loan. - Amends TCA Title 8; Title 47; Title 66 and Title 71. (HB1926/SB2204)
- 1043** Sunset Laws - As enacted, extends the University of Tennessee, board of trustees for two years to June 30, 2020. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 9. (HB1953/SB2149)
- 1044** Controlled Substances - As enacted, abolishes the TBI drug chemistry unit drug testing fund and the TBI toxicology unit intoxicant testing fund; provides for funds collected from the drug testing fee and the blood alcohol or drug concentration test

- fee being directed to the general fund to be used as appropriated by the general assembly. - Amends TCA Title 39, Chapter 13; Title 39, Chapter 14; Title 39, Chapter 15; Title 39, Chapter 16; Title 39, Chapter 17; Title 40, Chapter 35; Title 55; Title 63; Title 69, Chapter 9 and Title 70. (HB1959/SB1974)
- 1045** Prisons and Reformatory Institutions - As enacted, revises law concerning safekeeping of prisoners in nearby jails. - Amends TCA Title 39; Title 40 and Title 41. (HB2106/SB1575)
- 1046** Criminal Procedure - As enacted, renames the "DUI monitoring fund" as the "electronic monitoring indigency fund" and requires the assessment of fees against persons who are convicted of certain offenses, the proceeds of which will be deposited into the fund. - Amends TCA Title 38; Title 39; Title 40; Title 55, Chapter 10, Part 4 and Title 69, Chapter 9. (HB2110/SB2711)
- 1047** Annexation - As enacted, specifies circumstances in which a referendum will not be required to effectuate annexation of territory; schedules provision to expire January 1, 2023. - Amends TCA Section 6-51-104. (HB2125/SB2680)
- 1048** Taxes - As enacted, authorizes the commissioner of revenue to require or authorize a "perfection period" for electronically filed Hall income tax and franchise and excise tax returns. - Amends TCA Section 67-2-107; Title 67, Chapter 4, Part 20 and Title 67, Chapter 4, Part 21. (HB2132/SB2051)
- 1049** Marriage - As enacted, revises the interest rate on certain unpaid child support arrearages; revises provisions governing the age at which a person may be issued a marriage license; creates a cause of action for forced marriage. - Amends TCA Title 36. (HB2134/SB2268)
- 1050** Criminal Offenses - As enacted, enacts the "Elderly and Vulnerable Adult Protection Act of 2018." - Amends TCA Title 39; Title 40 and Title 71. (HB2159/SB2621)
- 1051** Probation and Parole - As enacted, establishes framework for the department of correction making four \$250,000 grants to local sheriff departments or probation offices for the purpose of funding reentry programs designed to reduce recidivism and probation revocations. - Amends TCA Title 40, Chapter 35, Part 3. (HB2181/SB1865)
- 1052** Juvenile Offenders - As enacted, enacts the "Juvenile Justice Reform Act of 2018." - Amends TCA Title 37 and Title 39, Chapter 17, Part 15. (HB2271/SB2261)
- {Appendix "L"}**
- 1053** Immigration - As enacted, prohibits any official or employee of this state or any political subdivision of this state from accepting an identification document issued or created by any person, organization, county, city, or other local authority, except where expressly authorized to be used for identification purposes by the general assembly to determine a person's identity or residency unless required by federal law; prohibits any local government or law enforcement agency from authorizing the use of any such card or document as a form of identification to be used to determine the identity or residency of any person. - Amends TCA Title 2; Title 5; Title 6; Title 7; Title 8 and Title 55. (HB2312/SB2333)
- 1054** Medical Occupations - As enacted, requires compliance with certain requirements by a person practicing ultrasound sonography in a nonclinical 3D/4D ultrasound

- boutique setting. - Amends TCA Title 4, Chapter 29, Part 2; Title 63 and Title 68. (HB2321/SB2498)
- 1055** Economic and Community Development, Dept. of - As enacted, enacts the "Tennessee Rural Hospital Transformation Act of 2018." - Amends TCA Title 4; Title 68 and Title 71. (HB2326/SB2646)
- 1056** State Government - As enacted, replaces the secretary of state and department of state with the commissioner of tourist development and department of tourist development on the Tennessee sports hall of fame board of directors and executive committee; requires the department to provide oversight to the hall of fame. - Amends TCA Title 4, Chapter 3, Part 54. (HB2371/SB2287)
- 1057** Capitol - As enacted, provides that the general assembly calls for a monument to be erected on the capitol campus as a reminder of unborn children, in memory of the victims of abortion: babies, women, and men. - Amends TCA Title 4. (HB2381/SB2227)
- 1058** Economic and Community Development - As enacted, revises certain provisions of the Convention Center and Tourism Development Financing Act of 1998 and the Local Tourism Development Zone Business Tax Act. - Amends TCA Title 7, Chapter 88 and Title 67, Chapter 4. (HB2435/SB2056)
- 1059** Controlled Substances - As enacted, authorizes a nurse practitioner or physician assistant who holds a federal DEA waiver to prescribe buprenorphine products under certain conditions. - Amends TCA Title 53. (HB2510/SB2095)
- 1060** Public Records - As enacted, revises provisions governing access to investigative records of the Tennessee bureau of investigation by certain members and committees of the general assembly. - Amends TCA Title 10, Chapter 7. (HB2626/SB2630)
- 1061** Appropriations - As enacted, makes appropriations for the fiscal years beginning July 1, 2017, and July 1, 2018. (HB2644/SB2552)
- 1062** Bond Issues - As enacted, authorizes the state to issue and sell bonds of up to \$215,295,000. (HB2645/SB2554)
- 1063** Budget Procedures - As enacted, authorizes, in the fiscal year ending June 30, 2018, transfers from the department of safety, handgun permit reserve. - Amends TCA Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71. (HB2646/SB2553)
- 1064** Industrial Development - As enacted, authorizes an industrial development corporation to negotiate a payment in lieu of tax agreement for less than the ad valorem taxes otherwise due for a retail business for a period longer than 10 years, plus a reasonable construction or installation period of not more than three years, in certain circumstances. - Amends TCA Section 7-53-101 and Section 7-53-305. (HB2664/SB2622)
- 1065** Taxes, Hotel Motel - As enacted, authorizes the City of Crossville to levy a privilege tax upon the privilege of occupancy by a two-thirds vote of its governing body. - Amends TCA 67-4-1425. (HB2718/SB2750)

APPENDIX "A"

FOCUS ACT

Public Chapter 657 enacted the University of Tennessee Focusing on Campus and University Success (FOCUS) Act, which reconstituted the University of Tennessee (UT) board of trustees and made other revisions regarding the governance of the UT system.

BOARD OF TRUSTEES

Prior Law:

Under prior law, the UT board of trustees consisted of five ex officio members and 22 additional members. The ex officio members were: the governor, the commissioner of education, the commissioner of agriculture, and the president of the university, who were voting members; and the executive director of the Tennessee higher education commission (THEC), who was not a nonvoting member. Of the 22 additional members: one was required to be appointed from each congressional district (presently there are nine congressional districts); two additional members each were required to reside in Knox and Shelby counties; one additional member each was required to reside in Weakley, Hamilton, and Davidson counties; one additional member was required to reside in Anderson, Bedford, Coffee, Franklin, Lincoln, Moore, or Warren County; one additional member was required to be a non-Tennessee resident; two additional members, one voting and one non-voting, were required to be members of the faculty of the University of Tennessee who served as faculty senate president, or the equivalent, at a University of Tennessee institution during the academic year immediately preceding appointment as a trustee, appointed according to a sequence detailed in present law; and two additional members were required to be students at a UT institution, one voting and one nonvoting, appointed from the various institutions on a rotating basis.

Prior law required that at least one third of the appointive members be members of the principal minority political party in the state and that at least one third of the appointive members be alumni of the University of Tennessee. All appointive members were appointed by the governor subject to confirmation by the senate, but appointments were effective until adversely acted upon by the senate. In making appointments to the board of trustees, the governor was required to strive to ensure that at least one person appointed to serve on the board is 60 years of age or older, and that at least one person appointed to serve on the board is a member of a racial minority. Prior law required that the membership of the board reflect the percentage of females in the population generally. Appointive members served terms of six years beginning June 1 of the year of appointment, and members were eligible to succeed themselves.

Public Chapter 657:

Under Public Chapter 657, the prior membership of the board of trustees of the University of Tennessee was vacated and the board was reconstituted on July 1, 2018, to consist of the commissioner of agriculture as an ex officio voting member, 10 voting members appointed by the governor, and one nonvoting student member selected and appointed in a manner determined by the board. The governor must appoint at least two residents of each grand division of the state. At least five of the 10 members appointed by the governor must be alumni of the University of Tennessee system. At least seven of the 10 members appointed by the governor must be Tennessee residents. In making appointments, the governor must strive to ensure that the board of trustees is composed of members who are diverse in sex, race, perspective, and experience.

Public Chapter 657 prohibits the following individuals from serving as an appointed member of the board of trustees, or a committee of the board, for so long as they hold the office or position:

- (1) Employees of any public institution of higher education, except the nonvoting student member of the board and a faculty member of a standing committee, discussed further below;
- (2) Elected officials;
- (3) State employees; and
- (4) Members of a governing body for any other public institution of higher education.

Generally, the 10 members appointed by the governor must be confirmed by joint resolution of the senate and the house of representatives prior to beginning a term of office. If either house fails to confirm the appointment of a board member by the governor within 90 calendar days after the general assembly next convenes in regular session following such appointment, the appointment terminates on the day following the 90th calendar day. Public Chapter 657 establishes contingencies for the consideration of appointments that are made when the general assembly is not in session. The reconstituted board of trustees assumed responsibility beginning July 1, 2018.

All gubernatorial appointed members are subject to removal from the board of trustees by a two-thirds majority vote of each house of the general assembly for misconduct, incapacity, or neglect of duty. Such removal must be by passage of a joint resolution by the senate and the house of representatives.

Public Chapter 657 established staggered terms of office for initial appointees, ranging from two to six years, with terms of office being six years after the initial terms. Members appointed by the governor may succeed themselves, but may not serve more than two consecutive terms, whether appointed as an initial member, as a successor member, or to fill a vacancy. A member who serves two consecutive terms may be reappointed after four years have elapsed since the individual's last date of service on the board of trustees. The failure of a member to attend more than 50 percent of the regular meetings in a calendar year will be cause for the member's removal and authorize the board to call on the governor to appoint a successor; however, this requirement does not apply to any ex officio member.

The nonvoting student member serves a one-year term beginning July 1 of the year of appointment and the position will rotate among the institutions of UT.

COMMITTEES

Prior Law:

Prior law provided for the following standing committees of the board of trustees, together with other standing and ad hoc committees as the board created, and certain subcommittees:

- (1) Academic affairs and student success;
- (2) Advancement and public affairs;
- (3) Athletics;
- (4) Audit and compliance;
- (5) Executive and compensation;
- (6) Finance and administration;
- (7) Health affairs;
- (8) Research, outreach, and economic development;
- (9) Trusteeship; and
- (10) University life.

Public Chapter 657:

Public Chapter 657 rewrote the committee provisions of prior law. Public Chapter 657 requires the board of trustees to appoint an executive committee of five of its members as a standing committee of the board. The executive committee is authorized to:

- (1) Oversee and monitor the work of other standing committees, the university's planning process, the president's performance and welfare, and the university's commitment to and compliance with the state's plans and objectives for higher education;
- (2) Recommend to the board of trustees the initial and subsequent compensation of the president and the initial compensation of the chancellors and other university officers defined in the bylaws approved by the board;
- (3) Act for the board of trustees on any matter when necessary between meetings of the board; and
- (4) Perform other responsibilities as the board of trustees deems necessary or advisable, subject to the approval of the board.

The board must also appoint the following standing committees, each of which must include at least three board members:

- (1) An audit committee in compliance with the State of Tennessee Audit Committee Act of 2005;
- (2) A finance and administration committee with responsibility for oversight of finance and administration related matters; and
- (3) An academic affairs and student success committee with responsibility for oversight of matters related to academic affairs and student success. The standing committee with responsibility for oversight of academic affairs and student success must include the student board member, who will be a voting member of the committee, and one voting faculty member and the faculty membership must be rotated among the various UT institutions.

Public Chapter 657 authorizes the board to establish other standing committees, subcommittees, and ad hoc committees as it deems necessary or advisable from time to time and may delegate authority to appoint the members and chairs of such committees and subcommittees to the executive committee or to the chair of the executive committee.

Public Chapter 657 requires the board to strive to ensure that the executive committee and the standing committees include alumni from different UT institutions.

POWERS OF THE BOARD OF TRUSTEES

Prior Law:

Among other powers, prior law authorized the board to remove the president or a chancellor at any time; and to annually adopt an operating budget, set student tuition and fees, and take all actions necessary and appropriate to ensure the financial stability and solvency of the UT system.

Prior law prohibited the disposal or appropriation of any real or personal estate belonging to the university at any session of the board, except at a stated session.

Public Chapter 657:

Public Chapter 657 revised the above-described powers of the board to remove the authority to remove a chancellor and to provide that the board has full authority and control over all university funds, whether appropriated from state revenues or institutional revenues, except authority to reallocate funds appropriated for a specific purpose or funds appropriated pursuant to the outcomes-based funding formula. Public Chapter 657 requires the board to annually adopt an operating budget, set tuition and fees, and take all actions necessary and appropriate to ensure the financial stability and solvency of the University of Tennessee system.

Public Chapter 657 added the following board powers:

- (1) Approve policies governing student conduct;
- (2) Oversee and monitor the operation of the intercollegiate athletics programs of the university, including proposed actions reasonably anticipated to have a long-term impact on the operations, reputation, and standing of the intercollegiate athletics programs or the university;
- (3) Evaluate student financial aid in relation to the cost of attendance and approve any necessary policies to improve the availability of financial aid that are in the best interest of students, the university, and the state;

(4) Monitor the university's nonacademic programs, other than athletics, including programs related to diversity and monitor compliance of nonacademic programs with federal and state laws, rules, and regulations;

(5) Evaluate administrative operations and academic programs periodically to identify efficiencies to be achieved through streamlining, consolidation, reallocation, or other measures;

(6) Establish a process through which each advisory board created pursuant to Public Chapter 657 (discussed below) must provide a recommendation to the president on the proposed operating budget, including tuition and fees, as it relates to the respective institution prior to the adoption of the annual operating budget by the board of trustees, beginning with any operating budget adopted after January 1, 2019; and

(7) Establish a process through which each advisory board must provide a recommendation to the president on the proposed strategic plan for the respective institution prior to the approval of the strategic plan by the board of trustees, beginning with any strategic plan approved or adopted after January 1, 2019.

Public Chapter 657 prohibits the sale or other type of disposal of any real property belonging to the university except at a meeting of the board.

Public Chapter 657 added a provision to specify that the board is not authorized to restructure or reorganize the UT system in a manner that removes a campus or institute from the system, unless such restructure or reorganization is authorized specifically by statute.

ADVISORY BOARDS

Public Chapter 657 established advisory boards for the University of Tennessee, Knoxville; University of Tennessee at Martin; University of Tennessee at Chattanooga; and University of Tennessee Health Science Center. Each advisory board consists of five members appointed by the governor, one faculty member, and one student member.

In regard to the five members appointed by the governor to each advisory board: at least three must be alumni of the respective UT institution; at least one must be a resident of the county in which the respective UT institution is located; and at least three must be state residents. In making appointments, the governor must strive to ensure that the advisory boards are composed of members who are diverse in sex, race, perspective, and experience. The faculty member must be selected and appointed in a manner determined by the faculty senate or equivalent body of that respective institution. The student member must be selected and appointed in a manner determined by the respective advisory board.

Generally, the five members of each advisory board appointed by the governor must be confirmed by joint resolution of the senate and the house of representatives prior to beginning a term of office. If either house fails to confirm the appointment of a board member by the governor within 90 calendar days after the general assembly next convenes in regular session following such appointment, the appointment terminates on the day following the 90th calendar day. Public Chapter 657 establishes contingencies for the consideration of appointments that are made when the general assembly is not in session.

Public Chapter 657 prohibits the following individuals from serving as a member of an advisory board for so long as they hold the office or position:

- (1) Employees of any public institution of higher education; except those faculty or student members appointed to each advisory board;
- (2) Elected officials;
- (3) State employees; and
- (4) Members of a governing body for any public institution of higher education.

Public Chapter 657 provides for the staggering of initial terms, ranging from two to four years, and thereafter the terms will be four years. Each faculty member will serve a term of two years, beginning June 1 and ending May 31; and each student member will serve a term of one year, beginning June 1 and ending the following May 31.

Members are eligible to succeed themselves, but a person may not serve more than two consecutive terms, whether appointed as an initial member, as a successor member, or to fill a vacancy. A member who serves two consecutive terms may be reappointed after four years have elapsed since the individual's last date of service on that advisory board. The failure of a member to attend more than 50 percent of the regular meetings in a calendar year is cause for the member's removal and authorizes the board to call on the appointing authority to appoint a successor. Advisory board members will be reimbursed for travel expenses.

The full text of Public Chapter 657 details the meeting and other requirements for the advisory boards. Public Chapter 657 also establishes duties of the advisory boards, which include, among other things, submitting a recommendation regarding the proposed operating budget, including tuition and fees, as it relates to the respective institution; and advising the chancellor of the respective UT institution regarding university operations and budget, campus master plan, campus life, academic programs, policies, and other matters related to the institution and as may be requested by the chancellor from time to time.

CONFERRAL OF DEGREES

Prior Law:

Prior law authorized the president and professors of the university, with the advice and consent of a majority of the board, at any stated session of the board, to confer on any student in the university, or any other person they may think proper, the degrees of Bachelor of Arts, Master of Arts or any other degree known and used in any college or university in any of the United States.

Public Chapter 657:

Public Chapter 657 replaced present law with authorization for the president and chancellors of the university, with the advice and consent of a majority of the board, to confer any bachelor's, master's, or doctoral degree approved by the board of trustees upon certification by the appropriate university offices that a student has satisfied all degree requirements and all obligations to the university.

EFFECTIVE DATE

Public Chapter 657 took effect on April 6, 2018.

APPENDIX "B"
ADDRESSING THE OPIOID EPIDEMIC

During the 2018 legislative session, the One Hundred and Tenth General Assembly passed several bills to address the opioid epidemic. Public Chapter 674 expanded the list of persons who may be prescribed buprenorphine mono or buprenorphine without the use of naloxone as a treatment for substance use disorder. Public Chapter 675 establishes a pathway for reporting suspected opioid abuse or diversion. Public Chapter 843 excepts a healthcare provider from being required to pay the portion of a risk sharing payment that is attributable to the increased cost of pain relief services under any payment reform initiative involving the use of episodes of care with respect to TennCare, if certain conditions are met. Public Chapter 901 requires prescribers to provide certain notices to women of childbearing age when prescribing more than a three-day supply or 180 morphine milligram equivalents of opioids. Public Chapter 978 made various changes and additions to law concerning opioids; created a task force to promulgate rules for disciplining healthcare providers who misuse opioids in the treatment of human patients; and requires the comptroller to conduct certain studies. Public Chapter 1039 made various changes to the requirements for prescribing, dispensing, and reporting of opioids. Public Chapter 1040 made various changes to prior law, primarily updating lists of controlled substances, and created a sentence reduction credit for prisoners who successfully complete an intensive substance use disorder treatment program.

Public Chapter 674

Public Chapter 674 added to those persons who may be prescribed buprenorphine mono or buprenorphine without the use of naloxone as a treatment for substance use disorder, as discussed below.

Under prior law, any prescription for buprenorphine mono or for buprenorphine without use of naloxone for the treatment of substance use disorder was only permitted to a patient who is:

- (1) Pregnant;
- (2) A nursing mother; or
- (3) Has a documented history of an adverse reaction or hypersensitivity to naloxone.

Public Chapter 674 additionally permitted such a prescription to a patient who is directly administered the buprenorphine mono or buprenorphine without use of naloxone by a healthcare provider, acting within the healthcare provider's scope of practice, for the

treatment of substance use disorder pursuant to a medical order or prescription, with the condition that the buprenorphine mono or buprenorphine without use of naloxone must not be dispensed to a patient in a manner that would permit it to be administered away from the premises on which it is dispensed.

Public Chapter 674 took effect April 12, 2018.

Public Chapter 675

Public Chapter 675 requires the department of health to:

- (1) Accept allegations of opioid abuse or diversion;
- (2) Publicize a means of reporting allegations of opioid abuse or diversion; and
- (3) Refer reports to the appropriate health-related board or law enforcement official.

Public Chapter 675 requires any entity that prescribes, dispenses, or handles opioids (an "entity") to provide information to employees about reporting suspected opioid abuse or diversion, which may be accomplished by providing the information to each employee individually, in writing, or by posting a sign in a prominent place stating:

NOTICE: PLEASE REPORT ANY SUSPECTED ABUSE OR DIVERSION OF OPIOIDS, OR ANY OTHER IMPROPER BEHAVIOR WITH RESPECT TO OPIOIDS, TO THE DEPARTMENT OF HEALTH'S COMPLAINT INTAKE LINE:

[NUMBER OF INTAKE LINE]

Public Chapter 675 extends immunity from civil liability for complaints based on good faith reports made to the department of health. Public Chapter 675 also prohibits, solely for a report made in good faith:

- (1) An entity from discharging or terminating an employee; and
- (2) Adverse licensure action against a licensed healthcare professional.

Public Chapter 675 takes effect January 1, 2019.

Public Chapter 843

Under current law, in developing or implementing any payment reform initiative involving the use of episodes of care with respect to TennCare, the bureau of TennCare or the health care finance and administration (HCFA) of the department of finance and administration must report on the use of technical assistance groups of healthcare providers in developing any episode of care. The reports must include all recommendations made by technical assistance groups throughout the period of implementation of any episode of care. Also, the bureau must summarize the recommendations of any technical assistance group concerning the payment reform initiative and identify any action taken by the bureau or HCFA to address those recommendations. These provisions apply to any payment reform initiative utilizing episodes of care, including any initiative receiving a state innovation model initiative grant from the federal centers for medicare and medicaid services.

Public Chapter 843 added that a healthcare provider must not be required to pay the portion of the risk sharing payment that is attributable to the increased cost of pain relief services under any payment reform initiative involving the use of episodes of care with respect to medical assistance provided under the Medical Assistance Act by the bureau of TennCare, if the following conditions are met:

- (1) The healthcare provider is required to make an episodes of care risk-sharing payment to a managed care organization;
- (2) Some portion of the episode costs were due to pain relief services;
- (3) The pain relief services provided to the patient were more expensive than an alternative pain relief service; and
- (4) The provider can demonstrate that the pain relief services provided to the patient had the effect of reducing opioid use by the patient relative to an alternative pain relief service routinely used by other providers in the episode.

Public Chapter 843 took effect July 1, 2018.

Public Chapter 901

Public Chapter 901 requires a prescriber, prior to prescribing more than a three-day supply of an opioid or an opioid dosage that exceeds a total of a 180 morphine milligram equivalent dose to a woman of childbearing age, to:

- (1) Advise the patient of the risk associated with opioid use during pregnancy;
- (2) Counsel the patient on appropriate and effective forms of birth control; and
- (3) Offer information about the availability of free or reduced cost birth control to the patient.

Public Chapter 901 defines "a woman of childbearing age" to mean any woman between the ages of 15 and 44.

Public Chapter 901 will not apply if:

- (1) The prescriber has previously taken all actions required by item (1) above with respect to the patient within the past three months; or
- (2) The prescriber reasonably believes that the patient is not capable of becoming pregnant.

If the patient is under 18 years of age, the physician may satisfy Public Chapter 901 by advising, counseling, and providing information to the parent or guardian instead of the patient. This provision does not prohibit a physician from advising, counseling, and providing information directly to the patient if not otherwise prohibited by law.

Public Chapter 901 requires the department of health to develop and publish guidance to assist prescribers of opioids in complying with its requirements.

Under current law, it is a Class D felony for any person to fail to provide any notification required under any regulations regarding controlled substances or the Tennessee Drug Control Act. Public Chapter 901 specifies that a physician who fails to provide the above information will not be guilty of a felony and will only be subject to a civil penalty assessed by the physician's licensing board, and only in cases involving a pattern of willful failure to comply.

Public Chapter 901 took effect July 1, 2018.

Public Chapter 978

The Mental Health, Alcohol and Drug Abuse Prevention and/or Treatment, Intellectual and Developmental Disabilities, and Personal Support Services Licensure Law, in part, provides for licensure of services and facilities operated for alcohol and drug abuse prevention or treatment, including nonresidential office-based opiate treatment facilities. Prior law defined "nonresidential office-based opiate treatment facility" to include entities prescribing products containing buprenorphine, or products containing any other controlled substance designed to treat opiate addiction by preventing symptoms of withdrawal to 50 percent or more of its patients "and" to 150 or more patients. Public Chapter 978 modified the prior law definition of "nonresidential office-based opiate treatment facility" to include entities prescribing products containing buprenorphine, or products containing any other controlled substance designed to treat opiate addiction by preventing symptoms of withdrawal to 25 percent or more of its patients "or" to 150 or more patients. Public Chapter 978 added that "nonresidential office-based opiate treatment facility" does not include any facility that meets the definition of a nonresidential substitution-based treatment center for opiate addiction.

Public Chapter 978 requires the commissioner of mental health and substance abuse services to:

(1) Revise rules, using emergency rulemaking procedures if necessary, for nonresidential office-based opiate treatment facilities to be consistent with federal law and to establish certain standards and protocols described more fully in the full text of Public Chapter 978 by January 1, 2019;

(2) Beginning in 2020, review the rules for nonresidential office-based opiate treatment facilities by September 30 of each even numbered year and submit the rules for nonresidential office-based opiate treatment facilities to each health-related board that licenses any prescriber of the products for the treatment of an opioid use disorder for such boards to publish on their websites and enforce against their licensees; and

(3) Provide copies of any rules, including emergency rules and revisions to rules, developed pursuant to (1) or (2) and any revision to the rules to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate.

A violation of a rule developed pursuant to (1) or (2) and any revision to the rules will be grounds for disciplinary action against a health care practitioner by the violator's licensing board.

Current law authorizes the department of mental health and substance abuse services to charge a reasonable fee for processing the application and issuance of licenses for facilities operated for the provision of mental health services, alcohol and drug abuse prevention or treatment. Beginning July 1, 2018, Public Chapter 978 set the licensing fee for a nonresidential office-based opiate treatment facility at \$1,500 per year. Also beginning July 1, 2018, Public Chapter 978 requires the department to apply a reinspection fee of \$500 to a nonresidential office-based opiate treatment facility. On or after July 1, 2019, the department may revise either or both fees.

Public Chapter 978 requires the commissioner of mental health and substance abuse services, in collaboration with the commissioner of health, to revise the nonresidential buprenorphine treatment guidelines to be consistent with state and federal law and establish protocols for initiating periodic prescriber initiated and led discussions with patients regarding patient readiness to taper down or taper off opioids employed in treatment. The revisions must be made by July 1, 2019. The commissioner must consult with appropriate physicians, alcohol and substance abuse counselors, and other experts to serve as resources in the development of guidelines.

Public Chapter 978 requires healthcare practitioners to submit the dispensing of buprenorphine products to the controlled substance database in the same manner as they are presently required to submit information concerning the prescribing or dispensing of controlled substances to the database; provided, that reporting of the dispensing of buprenorphine products does not conflict with federal regulations.

Public Chapter 978 generally prohibits the dispensing of buprenorphine products by any person or entity other than a nonresidential office-based opiate treatment facility with approval from the department of mental health and substance abuse services, a nonresidential substitution-based treatment center for opiate addiction, a pharmacy, or a hospital. Public Chapter 978 requires pharmacies and drug distributors to report to the department of health the quantities of buprenorphine that they deliver to nonresidential office-based opiate treatment facilities in this state.

Public Chapter 978 requires the department of mental health and substance abuse services to promulgate rules to establish requirements for approval of dispensing of buprenorphine products at a nonresidential office-based opiate treatment facility. These rules must include a requirement that a provider who dispenses buprenorphine products at a nonresidential office-based opiate treatment facility must report the fact that the provider dispenses buprenorphine products to the provider's licensing board, check the controlled substance database prior to dispensing, and enter the amounts dispensed into the controlled substance database, to the extent permitted by federal regulations

Prior law required the department of health to at least annually compile a list of the state's top 50 prescribers of controlled substances and the top 10 prescribers of controlled substances in all of the counties combined having a population of less than 50,000. The department is authorized to contact the prescribers who appear on the lists and request justification for the amount of controlled substances prescribed. If the department is not satisfied with the prescriber's justification, the relevant information may be submitted to the member of the controlled substance database committee who represents the board that has licensed the individual for review. If the committee member is not satisfied with the prescriber's justification, the prescriber's licensing board may conduct an investigation.

Public Chapter 978 changed the prior law requirement that the department of health identify the top prescribers of controlled substances to instead require that the department identify:

(1) The top 50 prescribers who have unique DEA numbers of controlled substances, other than buprenorphine formulations that have not received approval for pain applications from the federal food and drug administration, in the previous calendar year; and

(2) The top 20 prescribers who have unique DEA numbers of buprenorphine products or equivalent products in the previous calendar year.

The department is still required to identify the top 10 prescribers of controlled substances in all of the counties combined having a population of less than 50,000.

Current law also requires the department of health to identify high-risk prescribers based on clinical outcomes, including patient overdoses. A prescriber who is identified as a high-risk prescriber is subject to mandatory continuing education and safeguards to ensure that the prescriber's patients can provide informed consent to opioid therapy for more than three weeks with daily dosages of 60 morphine milligram equivalents or higher.

After completion of the comptroller's study, discussed further in this Appendix, Public Chapter 978 requires the department of health to annually, in consultation with the controlled substance database, identify licensed prescribers whose prescribing patterns of controlled substances represent statistical outliers in addition to top prescribers and high-risk prescribers. The department must inquire of the appropriate licensing board concerning any action taken against a statistical outlier prescriber and the board must respond within 30 days concerning the status of any action or lack of action against a statistical outlier prescriber. Public Chapter 978 requires the licensing boards to report on the total numbers of prescribers disciplined each year and the general categories of discipline imposed on the prescribers. The commissioner of health must report a summary of the data concerning statistical outlier prescribers, including a summary of any

disciplinary action taken or pending by a licensing board against a prescriber, to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives.

Public Chapter 978 requires the comptroller to study the incidence of significantly statistically abnormal prescribing patterns by prescribers and the disciplinary response of the licensing boards to those prescribers. The comptroller must report findings and recommendations of the study to the chairs of the health and welfare committee of the senate and the health committee of the house of representatives. The study must be complete by January 1, 2020. Public Chapter 978 provides the comptroller with access to confidential information in order to complete the study; provided, that personal identifying information will not be made public.

Public Chapter 978 creates a task force to be composed of representatives from:

- (1) The board of medical examiners;
- (2) The board of osteopathic examination;
- (3) The board of dentistry;
- (4) The board of podiatric medical examiners;
- (5) The board of optometry;
- (6) The board of nursing; and
- (7) The board of medical examiners' committee on physician assistants.

The task force is required to promulgate rules that create a uniform minimum disciplinary action that will apply to any healthcare practitioner who treats a human patient with an opioid and that healthcare practitioner's licensing board or agency finds that the healthcare practitioner engaged in a significant deviation or pattern of deviation from sound medical judgment. If the task force does not promulgate uniform minimum disciplinary actions by April 1, 2019, then the minimum disciplinary action that a healthcare practitioner's licensing board or agency must take is a removal of the healthcare practitioner's right to prescribe controlled substances for no less than five years. The task force will terminate July 1, 2023.

The full text of Public Chapter 978 describes how the taskforce will be established and certain procedures under which it will operate.

Public Chapter 978 took effect on May 21, 2018, for the purpose of promulgating rules, and July 1, 2018, for all other purposes.

Public Chapter 1039

Public Chapter 1039 revised various provisions of law regarding the prescribing and dispensing of opioids and benzodiazepines, and certain other controlled substances, as discussed below.

CONTROLLED SUBSTANCE DATABASE

Current and Prior Law:

Current law establishes the controlled substance database and requires, with certain exceptions, that the database be checked prior to the prescribing or dispensing of any opioid or benzodiazepine. By rule, the commissioner of health may require a check of the database for additional Schedule II-V controlled substances that are identified by the controlled substance database committee or commissioner as demonstrating a potential for abuse.

Healthcare practitioners must also submit certain information regarding such prescribing and the patients for whom such substances are prescribed. The commissioner is authorized to promulgate rules as necessary regarding the database, such as its establishment, maintenance, and operation, and the sharing and dissemination of data and information in the database with other states.

Under prior law, prior to prescribing an applicable controlled substance, a practitioner, or an authorized delegate, was required to check the database at the beginning of a new episode of treatment and check the database annually when the applicable prescribed controlled substance remains a part of the treatment. A new episode of treatment under prior law was a prescription for a controlled substance that has not been prescribed by that practitioner within the previous 12 months.

Similarly, current law requires certain practitioners dispensing controlled substances to check the database the first time a patient is dispensed an applicable controlled substance at that practice site. Prior law required the dispenser, or an authorized delegate, to check for the patient in the database at least once every 12 months after the initial dispensing. The initial dispensing check fulfilled the first annual check.

Prior law established the following exceptions to the requirement to check the database:

- (1) The controlled substance is prescribed or dispensed for a patient who is currently receiving hospice care;
- (2) The committee has determined that healthcare practitioners in a particular medical specialty are not required to check the database as a result of the low potential for abuse by patients receiving treatment in that medical specialty;
- (3) The quantity of the controlled substance which is prescribed or dispensed does not exceed an amount which is adequate for a single, seven-day treatment period and does not allow a refill; and
- (4) The controlled substance is prescribed for administration directly to a patient during the course of inpatient or residential treatment in a licensed hospital or nursing home.

This Act:

Public Chapter 1039 revised prior law to require prescribing practitioners to check the database prior to prescribing an applicable controlled substance at the beginning of a new episode of treatment, prior to the issuance of each new prescription for the controlled substance for the first 90 days of a new episode of treatment, and at least every six months when that prescribed controlled substance remains part of a treatment. Under Public Chapter 1039, a "new episode of treatment" is a prescription that has not been prescribed by the practitioner within the previous six months.

Public Chapter 1039 also revised prior law by requiring a dispensing practitioner to check the database prior to dispensing an applicable controlled substance to a patient for the first time at that practice site and at least once every six months after the initial dispensing for the duration of time the controlled substance is dispensed to that patient. The initial dispensing check fulfills the check requirement for the first six-month period.

Public Chapter 1039 deleted the prior law exception to checking the database that is described above in (2), regarding low potential for abuse. Public Chapter 1039 revised the prior law exception to checking the database that is described above in (3), regarding small quantities by making the exception apply to an amount sufficient for a three-day instead of seven-day treatment period.

Public Chapter 1039 added to the list of information a healthcare practitioner must submit to the controlled substance database the ICD-10 code for any prescription that contains an ICD-10 code (this provision is not mandatory prior to January 1, 2019, for a dispenser who has not updated the dispenser's software system to enable submission of ICD-10 codes); and a value signifying opioid treatment is occurring pursuant to a medical necessity under Public Chapter 1039 for any prescription containing the words "medical necessity." The value will be determined by the committee and published through the committee's website.

PRESCRIBING LIMITS

Under Public Chapter 1039, with certain exceptions, a healthcare practitioner may not treat a patient with more than a three-day supply of an opioid and may not treat a patient with an opioid dosage that exceeds a total of a 180 morphine milligram equivalent dose. Also, a patient may not be treated with an opioid more frequently than every 10 days; provided, however, that if the patient has an adverse reaction to an opioid, a healthcare practitioner may treat a patient with a different opioid within a 10-day period under certain circumstances specified in the full text of Public Chapter 1039. Where the treatment provided by a healthcare practitioner is dispensing an opioid, the healthcare practitioner may treat a patient more than once within 10 days; provided, that the healthcare practitioner may not dispense an opioid in an amount that exceeds the greater of: a five-day supply per encounter; or half of the total prescribed amount. The healthcare practitioner may dispense the remainder in a subsequent encounter. The partial fill requirements will not be mandatory prior to January 1, 2019, for a dispenser who has not updated the dispenser's software system. Public Chapter 1039 further provides that a healthcare practitioner may treat a patient with more than a three-day supply of an opioid if the healthcare practitioner treats the patient with no more than one prescription for an opioid per encounter and four requirements specified in the full text of Public Chapter 1039 are met. If a healthcare practitioner treats a patient with more than a three-day supply of an opioid, the healthcare practitioner may treat the patient with no more than a 10-day supply and with a dosage that does not exceed a total of a 500 morphine milligram equivalent dose. In rare cases where the patient has a condition that will be treated by a procedure that is more than minimally invasive and sound medical judgment would determine the risk of adverse effects from the pain exceeds the risk of the development of a substance use disorder or overdose event, a healthcare practitioner may treat a patient with up to a 20-day supply of an opioid and with a dosage that does not exceed a total of an 850 morphine milligram equivalent dose. Also, in rare cases after trial and failure of reasonable, appropriate, and available non-opioid treatments for the pain condition or documenting the contraindication or intolerance of non-opioid treatments, inefficacy, or intolerance of non-opioid treatments, where medical necessity and sound medical judgment would determine the risk of adverse effects from the pain exceeds the risk of the development of a substance use disorder or overdose event, a healthcare practitioner may treat a patient with up to a 30-day supply of an opioid and with a dosage that does not exceed a total of a 1,200 morphine milligram equivalent dose; the healthcare practitioner must include the phrase "medical necessity" on the prescription for any prescription issued pursuant to this provision.

The restrictions described above do not apply to the following; provided, that the prescription contains the ICD-10 code for the primary disease documented in the patient's chart and the word "exempt":

- (1) The treatment of patients who are undergoing active or palliative cancer treatment or who are receiving hospice care;
- (2) The treatment of patients with a diagnosis of sickle cell disease;
- (3) The administration of opioids directly to a patient during the patient's treatment at any licensed healthcare facility;
- (4) Prescriptions issued by healthcare practitioners who are pain management specialists, or who are collaborating with a pain management specialist; provided, that the patient receiving the prescription is personally assessed by the pain management specialist or collaborating advance practice registered nurse or physician assistant;
- (5) Prescriptions issued by healthcare practitioners who are treating patients in an outpatient setting of a hospital exempt from the pain management provisions of current law that holds itself out to the public as a pain management clinic;
- (6) The treatment of patients who have been treated with an opioid daily for 90 days or more during the 365 days prior to April 15, 2018, or those who are subsequently treated for 90 days or more under one of the exceptions in Public Chapter 1039;
- (7) The direct administration of, or dispensing of, methadone for the treatment of an opioid use disorder to a patient who is receiving treatment from a healthcare practitioner practicing under federal law;
- (8) The treatment of a patient for opioid use disorder with products that are approved by the U.S. food and drug administration for opioid use disorder by a healthcare practitioner under federal law;
- (9) The treatment of a patient with a product that is an opioid antagonist and does not contain an opioid agonist; or
- (10) The treatment of a patient who has suffered a severe burn or major physical trauma, and sound medical judgment would determine the risk of adverse effects from the pain exceeds the risk of the development of a substance use disorder or overdose event.

REPORTING

Public Chapter 1039 requires the commissioner, in consultation with regulatory boards that license healthcare practitioners, to study, analyze, and report on the impact and effects of the restrictions and limitations in the above provisions regarding prescribing limits. The report must be issued to the governor, the health and welfare committee of the

senate, and the health committee of the house no later than November 1, 2021, and it may include recommendations for revisions to the restrictions on the prescription of opioids.

PATIENT ACCESS TO INFORMATION

Public Chapter 1039 included a legislative finding that patient access to information about controlled substances is crucial to combating the deadly opioid epidemic in this state and that any obstacle to patients' receiving information about controlled substances is a serious threat to public health.

Under Public Chapter 1039, any agreement purporting to limit the ability of a pharmacist to discuss any issue related to the dispensing of a controlled substance with a patient is contrary to the public policy of this state and is void and unenforceable. This includes, but is not limited to, information about the risks, effects, and characteristics of the controlled substance; what to expect when taking the controlled substance and how the controlled substance should be used; reasonable alternatives to the prescribed controlled substance; and any applicable cost sharing for a controlled substance or any amount an individual would pay for a controlled substance if that individual were paying cash.

EFFECTIVE DATE

Public Chapter 1039 took effect on May 21, 2018, for rulemaking purposes, and on July 1, 2018, for all other purposes. The provisions of Public Chapter 1039, other than those concerning patient access to information, will terminate July 1, 2023, at which time the prior law will be restored.

PUBLIC CHAPTER 1040

Public Chapter 1040 made various revisions to prior law by updating lists of controlled substances in the criminal statutes. Public Chapter 1040 imposed criminal penalties for selling the substance Kratom to persons under 21 years of age. Additionally, Public Chapter 1040 created a sentence reduction credit for prisoners who successfully complete intensive substance use disorder treatment program.

Under current law, each inmate who exhibits good institutional behavior or who exhibits satisfactory performance within a program may be awarded time credits toward the sentence imposed, varying between one day and 16 days for each month served, with not more than eight days for each month served for good institutional behavior and not more

than eight days for each month served for satisfactory program performance in accordance with the criteria established by the department of correction. In addition to the time program performance credit, the department provides an educational good time credit of 60 days to any qualifying prisoner who successfully receives a high school equivalency credential or a high school diploma, a two-year or four-year college degree, or a two-year or four-year certification in applied sciences, or who receives a vocational education diploma as provided and defined by the department. A qualifying prisoner may receive no more than one credit of 60 days, regardless of the number of programs completed.

Public Chapter 1040 added that in addition to the above-described credits, the department must provide a credit of 60 days to any qualifying prisoner who successfully completes an evidence-based, intensive residential substance use disorder treatment therapeutic community program of at least nine months in the department. Public Chapter 1040 states the legislative intent that this credit be implemented by the department in a manner that maximizes the potential of prisoners who have a history of substance use disorders returning to the community to become working and productive members of society by breaking the cycle of substance use and criminal behavior through successful completion of intensive substance use disorder treatment. The credit under Public Chapter 1040 does not apply to any prisoner convicted of an offense that requires service of at least 85 percent or 100 percent of the sentence under current law. The credit applies to any inmate who successfully completes an evidence-based, intensive residential substance use disorder treatment therapeutic community program of at least nine months in the department on or after July 1, 2018.

Public Chapter 1040 took effect on July 1, 2018.

APPENDIX "C"

ELIGIBILITY FOR PROFESSIONAL AND OCCUPATIONAL LICENSES

The One Hundred and Tenth General Assembly passed several bills concerning eligibility for professional and occupational licenses. Public Chapter 744 authorizes and encourages various boards, commissions, and agencies that issue professional and occupational, and licenses (licensing authorities) to refrain from adverse action against a person's license based on failure to repay student loans in cases of medical hardship. Public Chapters 793 and 745 limit the effect of certain criminal convictions on the offender's eligibility for a professional or occupational license. Public Chapter 848 requires certain licensing authorities to implement a pathway to licensure that includes completion of an apprenticeship program.

Public Chapter 744

Public Chapter 744 establishes a medical hardship exemption to the requirement that certain licensed professionals who are delinquent or in default on student loan payments have their licenses revoked.

Generally, current law requires certain licensing authorities to suspend, deny, or revoke the license of any person who has defaulted on a repayment or service obligation under any state or federal educational loan or service-conditional scholarship program (a "guaranteed student loan"), upon receiving a copy of a final order from the Tennessee Student Assistance Corporation ("TSAC") or the guarantee agency, unless a debtor has made satisfactory arrangements according to the lender, TSAC, or the guarantee agency, which may include administrative wage garnishment, voluntary payment arrangements, or deferment or forbearance, then the debtor would be regarded as delinquent or in default. The current law provisions apply to licenses issued by the department of commerce and insurance and licenses required to work as athlete agents, lobbyists, healing arts professionals, and K-12 public school teachers. In regard to healing arts professionals, appropriate action other than license suspension, denial, or revocation may be taken.

Public Chapter 744 created a medical hardship exemption to the above-described current law provisions. Public Chapter 744 gives the licensing authorities discretion whether or not to suspend, deny, or revoke a license based on the applicant or licensee having defaulted or become delinquent on student loan repayment, if the licensing authority

determines that the default or delinquency is the result of a medical hardship that prevented the person from working in the person's licensed field and the medical hardship significantly contributed to the default or delinquency.

Public Chapter 744 took effect on April 18, 2018, for the purpose of promulgating rules to implement its provisions. Public Chapter 744 takes effect on January 1, 2019, for all other purposes.

Public Chapter 793

Public Chapter 793 enacted the "Fresh Start Act."

Generally, current law authorizes some licensing authorities to deny, suspend, revoke, or refuse to renew a license based on the applicant or licensee being convicted of a criminal offense, usually a felony or a misdemeanor crime of moral turpitude.

Subject to certain exceptions, Public Chapter 793 generally prohibits licensing authorities from denying an application for a license, certificate, or registration (a license), or refusing to renew a license solely or in part due to a prior criminal conviction that does not directly relate to the applicable occupation, profession, business, or trade.

Public Chapter 793 created a uniform process that all licensing authorities must follow before denying or refusing to renew a license based on the applicant or licensee being convicted of a criminal offense. The process involves notice and an opportunity for a hearing before the licensing authority prior to the issuance of the denial or refusal. The full text of Public Chapter 793 requires a licensing authority to consider the following factors when deciding whether to deny or refuse to renew a license based on a criminal conviction:

- (1) The nature and seriousness of the crime for which the individual was convicted;
- (2) The length of time since the commission of the crime;
- (3) The relationship between the nature of the crime and the purposes of regulating the occupation, profession, business, or trade for which the license, certificate, or registration is sought;

(4) The relationship between the crime and the ability, capacity, and fitness required to perform the duties and discharge the responsibilities of the occupation, profession, business, or trade;

(5) Any evidence of rehabilitation or treatment undertaken by the individual that might mitigate against the relationship of crime to the occupation, profession, business, or trade; and

(6) Any applicable federal laws regarding an individual's participation in the occupation, profession, business, or trade.

If the prior conviction was for a Class A, B, or C felony, or any offense for which the offender is required to register as a sex offender or as an animal abuser, there will be a rebuttable presumption that the conviction relates to the applicant's or licensee's fitness for the applicable occupation, profession, business, or trade.

Public Chapter 793 created a process by which a prospective applicant who has a past criminal conviction may request written notice from a licensing authority in order to find out whether the person is disqualified from licensure based on the person's criminal history.

A person who receives written notification that the person is disqualified from licensure based on the person's criminal history or a person whose application for licensure is denied or whose license is not renewed based on a criminal conviction may appeal the licensing authority's determination by filing a petition for a common law writ of certiorari in Davidson County chancery court. The licensing authority must demonstrate by a preponderance of the evidence that the appellant's conviction is related to the applicable occupation, profession, business, or trade.

Public Chapter 793 does not apply to:

(1) The board of law examiners;

(2) The board of judicial conduct;

(3) The licensure of services and facilities operated pursuant to the Mental Health, Alcohol and Drug Abuse Prevention and/or Treatment, Intellectual and Developmental Disabilities, and Personal Support Services Licensure Law, for the provision of mental

health services, alcohol, and drug abuse prevention or treatment; for the provision of services for intellectual and developmental disabilities; and for personal support services;

(4) The certification of police officers;

(5) Any licensing authority created under current law concerning corrections, corporations and associations, education, insurance, and welfare;

(6) The department of financial institutions, when acting as a licensing authority pursuant to current law concerning banks and financial institutions;

(7) Any license, certificate, or registration issued pursuant to the rules of the supreme court;

(8) The licensure of pain management clinics; and

(9) The licensure of physicians.

Public Chapter 793 took effect July 1, 2018.

Public Chapter 745

Public Chapter 745 specifies in various statutes governing licensure of professions and occupations, including health-related occupations, that administrative action against a person's license (including the denial, suspension, or revocation of a license and determinations of fitness to practice) based on a criminal conviction, is subject to the applicable provisions of the Fresh Start Act (enacted by Public Chapter 793).

Public Chapter 745 took effect July 1, 2018.

Public Chapter 848

Public Chapter 848 provides that, in addition to any other process by which a person may be granted a license pursuant to state law, licensing authorities attached to the division of regulatory boards of the department of commerce and insurance must also grant a license, unless other cause for denial of the issuance of the license exists, to any applicant who:

- (1) Possesses a high school diploma or its equivalent;
- (2) Has completed an apprenticeship that requires the applicant to learn the skills and knowledge relevant to the chosen profession under the direct supervision and instruction of a person duly licensed, registered, or certified to practice in the applicant's chosen profession and provides sufficient documentation to the licensing authority of completion of the apprenticeship;
- (3) Has passed any examination required under law to become licensed, registered, or certified to practice in the applicant's chosen profession; and
- (4) Has paid any fees required by the licensing authority for the license.

Public Chapter 848 authorizes each licensing authority to limit the amount of time or number of attempts following completion of an apprenticeship that an applicant has to pass any required examinations. If the relevant licensing authority does not require an examination of any other person applying to practice in that profession, no examination will be required for applicants who complete an apprenticeship under Public Chapter 848.

Each licensing authority must determine the duration of any apprenticeship for the profession that the authority regulates and grant apprentice status to a person only once.

Public Chapter 848 also specifies that each licensing authority must require that an apprentice register with the licensing authority and may set reasonable fees for registration or other transactions. An apprentice is authorized to engage in acts requiring licensure by the licensing authority under the direct supervision and instruction of a professional licensed to practice in the applicant's chosen profession. However, the licensing authority may set limits on the apprentice's practice as are reasonably necessary to protect the health, safety, and welfare of the public.

Public Chapter 848 does not require any state agency to create an apprenticeship. A licensing authority may refuse to issue an apprentice registration to any person for any reason, other than experience or education, that the licensing authority could deny issuance of a regular license in the apprentice's chosen profession. Further, no apprentice registration may be issued to any person who could not be issued a regular license in the apprentice's chosen profession.

Public Chapter 848 does not override any of the requirements of the following:

- (1) Instructor trainee programs, junior instructor programs, or apprenticeships under the Tennessee Cosmetology and Barbering Act;
- (2) Apprenticeships under the laws regulating embalmers and funeral directors;
- (3) Apprenticeships under the Locksmith Licensing Act of 2006;
- (4) Affiliate broker programs under the Tennessee Real Estate Broker License Act of 1973;
- (5) Apprenticeships for auctioneers;
- (6) Apprenticeships under the Private Investigators Licensing and Regulatory Act;
- (7) Internships under the Polygraph Examiners Act; or
- (8) Appraiser trainee programs under the State Licensing and Certified Real Estate Appraisers Law.

Public Chapter 848 also does not apply to licensing authorities providing licensure pursuant to the Contractors Licensing Act of 1994.

Public Chapter 848 prohibits licensing authorities from creating duplicative apprenticeship programs.

Public Chapter 848 requires any licensing authority creating an apprentice program under Public Chapter 848 to promulgate rules to effectuate the program.

For purposes of promulgating rules, Public Chapter 848 took effect on April 26, 2018. For all other purposes, Public Chapter 848 takes effect January 1, 2019.

APPENDIX "D"

ASSET FORFEITURE

Public Chapter 772 revises and adds to provisions of law governing forfeiture of property, as discussed below.

Public Chapter 772 adds that after the seizure of any personal property subject to forfeiture where the owner of the property is not present at the time of the seizure, regardless of whether an arrest has been made, the seizing officer must, within five business days of the date of seizure, mail to the owner by return receipt requested mail, at the owner's last known address as determined from public records of titles, registrations, or other recorded documents or information provided by the person in possession, a notice entitled "Notice of Forfeiture Warrant Hearing". Public Chapter 772 sets out in detail the information to be contained in the notice. If an owner cannot be determined from public records of titles, registrations, or other recorded documents or information provided by the person in possession, the officer must document the attempts made to determine the owner and include the documentation with any application for forfeiture warrant for the judge to review.

Under the law in effect prior to Public Chapter 772 taking effect:

(1) If an arrest was made at the time of the seizure, the officer making the seizure must apply for a forfeiture warrant by filing a sworn affidavit within five working days following the property seizure. The forfeiture warrant must be based upon proof by affidavit and have attached to it a copy of the notice of seizure. The hearing on the application for a forfeiture warrant is ex parte and based upon the application, the affidavit, and any testimony as may be required;

(2) If no arrest was made at the time of the seizure, the officer making the seizure must present to the court, at the date and time specified on the notice of forfeiture warrant hearing, the application for a forfeiture warrant, the affidavit in support, the notice of seizure, and the notice of forfeiture warrant hearing. At the hearing on the forfeiture warrant application, the court must review the application for a forfeiture warrant and the affidavit in support and take testimony from the seizing officer regarding the probable cause to issue a forfeiture warrant, including any testimony as may be required; and review any evidence presented by and take testimony from the person in possession at the time of the seizure regarding why no probable cause exists to issue a forfeiture warrant; and

(3) If the person in possession at the time of the seizure does not appear at the hearing and has received notice of the hearing, then the court must review the application for a forfeiture warrant ex parte as under (1).

Public Chapter 772 revises the above provisions as follows:

(A) Public Chapter 772 specifies that the time period for seeking an ex parte forfeiture warrant under item (1) above does not apply to forfeiture warrant hearings under item (2) above and, in regard to the hearings described above in item (2), that if the person in possession at the time of seizure does not appear at the hearing and has received notice of the hearing, then the court will review the application for a forfeiture warrant ex parte as provided in item (1) above;

(B) Public Chapter 772 rewrites item (3) above to instead provide that if the owner of the property is not present at the time of the seizure, regardless of whether an arrest is made, the officer making the seizure must present to the court, at the date and time specified on the notice of forfeiture warrant hearing, the application for a forfeiture warrant, the affidavit in support, the notice of seizure, and the notice of forfeiture warrant hearing for both the person in possession, if no arrest was made, and the owner of the property. The time period for seeking an ex parte forfeiture warrant under item (1) above will not apply to forfeiture warrant hearings under this provision. The owner of the property must be given reasonable notice of the forfeiture warrant hearing; however, a forfeiture warrant hearing under this provision must be held within 45 days after the date of seizure. At the hearing on the forfeiture warrant application, the court must: review the application for a forfeiture warrant and the affidavit in support and take testimony from the seizing officer regarding the probable cause to issue a forfeiture warrant, including any testimony as may be required; review any evidence presented by and take testimony from the person in possession at the time of the seizure, if present, regarding why no probable cause exists to issue a forfeiture warrant; and review any evidence presented by and take testimony from the owner of the property, if present, regarding why no probable cause exists to issue a forfeiture warrant. If neither the person in possession at the time of the seizure, if no arrest was made, nor the owner of the property appear at the hearing and the person in possession and the owner have received notice of the hearing, the court must review the application for a forfeiture warrant ex parte as provided above in item (1).

Under the law in effect prior to Public Chapter 772 taking effect, the taking of testimony consists solely of the judge putting the seizing officer and person in possession under oath and asking questions to determine if probable cause exists for a forfeiture warrant to be issued. Public Chapter 772 adds the owner of the property as a person to testify in the hearing.

Public Chapter 772 requires the seizing agency, within five business days of receipt of any forensic chemistry report regarding any alleged controlled substances or controlled substance analogues that are the basis of a seizure, to send a copy of the forensic chemistry report to the applicable agency. If the forensic chemistry report shows that the alleged controlled substances that are the basis of a seizure are not controlled substances or controlled substance analogues, and those substances were the sole basis for a seizure, the

applicable agency, within five business days of receipt, must submit an order dismissing the case, or the portion of the case based on the alleged controlled substances or controlled substance analogues, to the administrative law judge or the administrative head of the applicable agency. If the property is not needed for evidence in a criminal proceeding, or is not subject to other forfeiture proceedings, the seizing agency must make the property available to the owner, as determined from public records of titles, registrations, or other recorded documents, or if the owner cannot be determined, to the person in possession of the property at the time of seizure, within five business days of receipt from the applicable agency of the signed order of dismissal. A seizing agency that fails to make the property available as required may be considered to be acting in bad faith under current law, and will be subject to the civil cause of action.

Under the law in effect prior to Public Chapter 772 taking effect, if a forfeiture warrant was issued by a magistrate or judicial commissioner, the warrant, a copy of the affidavit, and the notice of seizure must not be sent to the applicable agency until:

- (1) Seven business days after the time period to appeal the forfeiture warrant has ended and no appeal has been filed; or
- (2) Seven business days after the general sessions judge has affirmed the issuance of the forfeiture warrant, if the warrant was appealed.

Public Chapter 772 specifies that the information must be sent to the applicable agency within the time periods set out in (1) and (2).

Public Chapter 772 adds that in any forfeiture warrant hearing, there will be a rebuttable presumption that currency seized, for which a person has claimed ownership, is not subject to forfeiture absent evidence to the contrary. The burden to rebut the presumption is on the seizing officer. Also under Public Chapter 772, if the reviewing court reverses a final order of an agency and orders the return of seized property, the court must also order the payment of attorney's fees incurred during the administrative proceeding, in the same manner provided and subject to the limits found in Public Chapter 772 (discussed below) and any reasonable attorney's fees incurred during the appeal. Public Chapter 772 specifies that the applicable agency will be represented in the appeal by an attorney who is employed by the applicable agency.

Public Chapter 772 requires the administrative law judge to include an award of attorney's fees against the seizing agency subject to the limits described below, upon entering an initial order which includes a return of property, in whole or in part. No award of attorney's fees against a seizing agency will be entered when the initial order is the result of a settlement between the parties. No award of attorney's fees under Public Chapter 772 will exceed the lesser of the following, as may be applicable to the case:

- (1) 25 percent of the National Automobile Dealers Association rough trade-in value of any motor vehicle seized and returned;
- (2) 25 percent of the value of any currency seized and returned;
- (3) 25 percent of the reasonable replacement value of any miscellaneous personal property seized and returned;
- (4) \$3,000; or
- (5) If multiple types of property are returned, a combination of the amounts in (1)-(3), but the total amount of attorney's fees awarded may not exceed \$3,000.

The award of attorney's fees will be appealable in the same manner as an initial order under the Uniform Administrative Procedures Act. Compensation will not be awarded to an attorney whose fees are paid under any legal services program funded by the state or federal government. However, compensation shall be determined and allowed to an attorney employed in a privately or publicly funded nonprofit public interest law firm or corporation if neither the attorney, the law firm, nor the corporation received, or is entitled to receive, compensation for filing the claim on behalf of the claimant under any federal or state statute or rule other than Public Chapter 772. Public Chapter 772 specifies that it will be the exclusive means for seeking attorney's fees from the seizing agency for asset forfeiture proceedings. Public Chapter 772 does not prohibit a person who files a civil action for bad faith seizure from seeking attorney's fees for that specific action. Public Chapter 772 authorizes the use of funds forfeited to a seizing agency to pay attorney's fees ordered under Public Chapter 772.

With the exception of the provision regarding representation by an attorney employed by the applicable agency, which will take effect January 1, 2019, Public Chapter 772 takes effect October 1, 2018.

APPENDIX "E"
SALES OF ALCOHOLIC BEVERAGES

Public Chapter 783 made various changes and additions to the laws concerning sales of alcoholic beverages.

SUNDAY SALES

Prior law prohibited retail package stores from making sales of alcoholic beverages between 11:00 p.m. on Saturday and 8:00 a.m. on Monday of each week. The law in effect prior to January 1, 2019, prohibits retail food stores from making sales of wine between 11:00 p.m. on Saturday and 8:00 a.m. on Monday of each week.

Effective April 20, 2018, Public Chapter 783 authorized retail package stores to sell alcoholic beverages between 10 a.m. and 11 p.m. on Sundays other than Easter Sunday. Authorization to make sales of wine between 10 a.m. and 11 p.m. on Sundays other than Easter Sunday is extended to retail food stores on January 1, 2019.

HOLIDAY SALES

Prior law prohibited retail package stores from making sales of alcoholic beverages on Christmas, Thanksgiving, Labor Day, New Year's Day, and the Fourth of July. The same prohibition applied to sales of wine by retail food stores on such holidays.

Effective April 20, 2018, Public Chapter 783 removed the prohibition against holiday sales on Labor Day, New Year's Day, and the Fourth of July for retail package stores and retail food stores. As previously noted, sales will continue to be prohibited on Easter Sundays.

PRICE DISCOUNTS

Prior law prohibited a retailer from offering a discount that resulted in a price below the cost paid by the retailer to purchase the alcoholic beverages from the wholesaler.

Effective April 20, 2018, Public Chapter 783 authorized a retailer to offer a discount on unopened bottles to any customer that results in a price no lower than 10 percent of the purchase price, if the retail licensee:

- (1) Is not in debt to a wholesaler for any credit law violations or refused check; and
- (2) Provides a 30-day irrevocable notice of surrender to the alcoholic beverage commission prior to the termination of the license.

A retail licensee selling a product below cost in accordance with Public Chapter 783 is prohibited from subsequently purchasing that product from the wholesaler prior to termination of the license. A retail licensee unable to sell product at a discount below cost may keep the remaining product for personal use.

INTOXICATING LIQUOR SALES LAW

Subject to certain exceptions, effective April 20, 2018, Public Chapter 783 enacted the "Intoxicating Liquor Sales Law" to make it a Class C misdemeanor offense for any retailer to advertise, offer to sell, or sell at retail, intoxicating liquor at less than cost to the retailer. The "cost to the retailer" is invoice cost, taxes, and freight and delivery charges, minus discounts and incentives, (the "basic cost"), plus 10 percent of the basic cost (the "cost of doing business"). Any individual who, as a director, officer, partner, member, or agent of a retailer, assists or aids, directly or indirectly, in such violation, equally with the retailer, commits a Class C misdemeanor.

Public Chapter 783 declared any contract in violation of the prohibition against below cost sales, advertisements, and offers to be an illegal and void contract, and prohibits recovery on any such contract.

Public Chapter 783 classified the advertising, sale, or offer to sell of intoxicating liquor by any retailer at less than cost to the retailer as evidence sufficient to support:

- (1) The assessment of a civil penalty by the alcoholic beverage commission based on a graduated scale that authorizes a civil penalty of up to \$1,000 for an initial violation and a civil penalty of up to \$5,000 for a third or subsequent violation. A retailer may appeal a penalty assessed under the Intoxicating Liquor Sales Law to chancery court pursuant to the Uniform Administrative Procedures Act; and
- (2) A finding of intent to injure competitors or destroy substantially or lessen competition in support of an injunction or an award of damages. Public Chapter 783

created a cause of action whereby any person or entity injured by a discount-related violation, or a trade association which is representative of such a person or entity, may seek a judicial order to prevent, restrain, or enjoin the violation, and an award of actual damages.

The Intoxicating Liquor Sales Law does not apply to sales at retail where intoxicating liquors are:

- (1) Only beverages having an alcoholic content of eight percent by weight or less;
- (2) Sold upon the complete final liquidation of a business;
- (3) Advertised, offered for sale, or sold by any fiduciary or other officer acting under the order or direction of any court;
- (4) Closeouts and case discounts; or
- (5) Such other occasional discounts as defined by the alcoholic beverage commission.

TRANSFER OF LICENSES

Prior law generally prohibited the holder of a retailer's license from selling, assigning, or transferring the license to any other person.

Public Chapter 783 created a temporary window, beginning on April 20, 2018, and ending on July 1, 2021, during which time current licensees may enter into agreements to transfer their license to another person. Any transfer is subject to the alcoholic beverage commission's approval and the same fees and requirements that apply to issuance of a new license apply to transfers of licenses. During the transfer window, the commission is only authorized to issue new licenses for jurisdictions that first approve the retail sale of alcoholic spirituous beverages by local option election conducted after April 1, 2018, or to applicants who have filed applications prior to April 20, 2018.

Public Chapter 783 authorizes transfers where the license would be used for the same location or, with the alcoholic beverage commission's approval, a different location. If a license is transferred for use at a different location, the new location must not be within 1,500 feet of another location engaged in the retail sale of alcoholic spirituous beverages and must be located within the same jurisdiction wherein the transferor premises was located.

On July 1, 2021, the prior law will be reinstated thereby closing the transfer window and requiring that any person desiring a retailer's license apply to the alcoholic beverage commission for a new license.

APPENDIX "F"

NOTICE OF ATTEMPTS TO OBTAIN FIREARMS BY MENTAL HEALTH PATIENTS

Current law prohibits the sale of a firearm to any person who has been judicially committed to a mental institution or adjudicated as a mental defective. Current law requires gun dealers to request that the Tennessee bureau of investigation (TBI) conduct a criminal history record check on each purchaser of a firearm.

Public Chapter 799 added a requirement that the instant check unit of the TBI contact the chief law enforcement officer of a jurisdiction where a person who has been adjudicated as a mental defective or judicially committed to a mental institution attempts to purchase a firearm; provided, that the unit confirms the person's record by means of a record indicating the person's name, birth date, social security number, and either the person's sex or race. The purpose of the notification is to allow local law enforcement to initiate a criminal investigation.

Current law requires certain healthcare facilities and professionals to report to local law enforcement certain identifying information concerning patients who are involuntarily committed; who communicate a credible, actual threat of serious bodily harm or death against a reasonably identifiable victim or victims. Additionally, courts are required to report persons who have been judicially committed or adjudicated as a mental defective to the FBI-NICS Index and the department of safety. Public Chapter 799 added a provision to specify that all such reports must include the patient's or defendant's:

- (1) Race and sex; and
- (2) Social security number, if available.

Public Chapter 799 took effect on July 1, 2018.

APPENDIX "G"
ASSESSMENT TESTING

The One Hundred and Tenth General Assembly passed a pair of bills concerning student assessment testing.

Public Chapter 881

Public Chapter 881 revised existing law regarding the required eleventh grade assessment test for public school students, as discussed below.

Under current law, in order for a public school student to receive a diploma upon graduation from high school, and as a strategy for assessing student readiness for postsecondary education, every student must take an examination in the eleventh grade. The commissioner of education approves the assessment, and it is used to assist in developing interventions for the purpose of improving student preparation for postsecondary achievement.

Public Chapter 881 added a requirement that, if an assessment is misadministered by fault of the assessment provider, as determined by the department of education, then the assessment provider must:

- (1) Provide an incident report on the misadministration to the department and the LEA or LEAs in which the misadministration occurred. The incident report must provide remediation plans that will result in reportable scores, if possible;
- (2) Reimburse the LEA or LEAs in which the misadministration occurred for any exam that does not result in a reportable score for the student; and
- (3) Provide an opportunity for any student who was impacted by the misadministration to take the assessment again at no charge.

A provider's failure to respond as described in (1)-(3) will result in the state not continuing to use the assessment and be considered a breach of contract by the assessment provider.

Current law requires each LEA to develop a policy by which student scores on the Tennessee comprehensive assessment program's (TCAP) grades three through eight achievement tests comprise a percentage of the student's final grade for the spring semester in the subject areas of mathematics, reading/language arts, science, and social studies. In the 2017-2018 school year, the percentage must be 15 percent. If an LEA does not receive its students' TCAP scores at least five instructional days before the end of the school year, then the LEA may choose not to include its students' TCAP scores in the students' final grades in the subject areas of mathematics, English language arts, science, and social studies. Public Chapter 881 added an exception to the requirement for the use assessment testing scores in student grades whereby an LEA may choose the percentage within the range of zero percent to 15 percent that scores from the TNReady assessments administered in the 2017-2018 school year count on a student's final grade for the spring semester.

Current law requires the department to develop a school grading system that annually assigns A, B, C, D, and F letter grades to schools based on:

- (1) Student performance on the TCAP tests or end-of-course exams;
- (2) Student growth as indicated by Tennessee Value-Added Assessment System (TVAAS) data or data from other measures of student growth; and
- (3) Other outcome indicators of student achievement that the department finds to be reliable measures of school performance.

Public Chapter 881 added a prohibition on the use of student performance and student growth data from the TNReady assessments administered in the 2017-2018 school year to assign a letter grade to a school.

Current law requires the state board of education, in consultation with the commissioner of education, to establish appropriate performance goals and measures for schools and local education agencies (LEAs). The performance goals and measures must include, at a minimum, student achievement, student growth, and other appropriate indicators of performance. The commissioner of education is required to evaluate the performance data and recommend for approval to the state board a listing of all schools to be placed in priority, focus, or reward status. Public Chapter 881 added a prohibition on the use of student performance and student growth data from the TNReady assessments administered in the 2017-2018 school year to identify a school as a priority school or to assign a school to the achievement school district.

Public Chapter 881 also prohibits LEAs from basing employment termination and compensation decisions for teachers on data generated by statewide assessments administered for the 2017-2018 school year.

Public Chapter 881 took effect May 3, 2018.

Public Chapter 1026

Public Chapter 1026 prohibits the taking of adverse action against any student, teacher, school, or LEA based, in whole or in part, on student achievement data generated from the 2017-2018 TNReady assessments. For purposes of Public Chapter 1026, "adverse action" includes, but is not limited to, the identification of a school as a priority school and the assignment of a school to the achievement school district.

Public Chapter 1026 took effect May 21, 2018.

APPENDIX "H"

UNIFORM ADMINISTRATIVE PROCEDURES ACT

The One Hundred and Tenth General Assembly passed a pair of bills that made significant changes to the Uniform Administrative Procedures Act (the "UAPA"). Public Chapter 929 clarified the difference between administrative policies and rules, added a reporting requirement for newly adopted policies, and added other provisions to the UAPA concerning freedom of speech and removal of agency members. Public Chapter 1021 expanded the venue for appeals under the UAPA.

Public Chapter 929

Under the UAPA, no rule is to be filed in the office of the secretary of state until the rule has been filed with the office of the attorney general and reporter. The office of the attorney general and reporter reviews every rule filed and approves or disapproves of rules based upon the attorney general's determination of the legality and constitutionality of such rules.

Prior law defined "rule" as an agency statement of general applicability that implements or prescribes law or policy or describes the procedures or practice requirements of an agency. Prior law specified that "rule" includes the amendment or repeal of a prior rule, but does not include:

(1) Statements concerning only the internal management of state government and not affecting private rights, privileges or procedures available to the public;

(2) Declaratory orders issued under the UAPA;

(3) Intra-agency memoranda;

(4) General policy statements that are substantially repetitious of existing law;

(5) Agency statements that:

(A) Relate to the use of the highways and are made known to the public by means of signs or signals; or

(B) Relate to the curriculum of individual state supported institutions of postsecondary education or to the admission or graduation of students of such individual institutions but not to the discipline or housing of students;

(6) Rate filings under the insurance laws; or

(7) Statements concerning inmates of a correctional or detention facility.

Public Chapter 929 redefined "rule" to mean any agency regulation, standard, statement, or document of general applicability that is not a policy that:

(1) Describes the procedure or practice requirements of an agency; or

(2) Implements, prescribes, or interprets an enactment of the general assembly or congress or a regulation adopted by a federal agency. Public Chapter 929 specified that "rule" includes the establishment of a fee and the amendment or repeal of a prior rule. Public Chapter 929 retained the prior law provisions of what "rule" does not include in (1)-(7), with the exception of (1). Public Chapter 929 added to (7) by specifying that agency statements concerning offenders who are serving a sentence under probation or parole in the community are not rules.

Prior law defined "policy" as a set of decisions, procedures, and practices pertaining to the internal operation or actions of an agency.

Public Chapter 929 redefined "policy" as any statement, document, or guideline prepared or issued by any agency pursuant to its delegated authority that merely defines or explains the meaning of a statute or a rule, as well as any statement, document, or guideline concerning only the internal management of state government that does not affect private rights, privileges, or procedures available to the public.

Public Chapter 929 added a general requirement that, on July 1, of every year, each agency that is subject to sunset review under the Tennessee Governmental Entity Review Law submit to the chairs of the government operations committees:

(1) A list of all policies that have been adopted by the agencies in the past year (beginning with policies that are proposed or developed on or after July 1, 2018); and

(2) A summary of each policy and the agency's justification for adopting a policy on the subject instead of promulgating a rule.

Public Chapter 929 does not require the submission to the chairpersons of information that is confidential, affects national security, or the disclosure of which would jeopardize federal funding. Also, Public Chapter 929 does not require submission to the chairpersons any statements, documents, or published materials, such as frequently asked questions, that are prepared and used in the course of general correspondence with persons or entities.

Public Chapter 929 prohibited any agency from promulgating rules or implementing policies that infringe on an agency member's freedom of speech in violation of the Tennessee and United States constitutions.

Public Chapter 929 also specified that an agency's appointing authority has sole power to remove a member from a board, commission, council, committee, authority, task force, or other similar multi-member agency. However, such sole authorization does not impair the ability of the general assembly to reconstitute, restructure, or reestablish such agency.

Public Chapter 929 took effect July 1, 2018.

Public Chapter 1021

Public Chapter 1021 revised prior law regarding venue for review of contested cases under the UAPA.

Under current law, a person who is aggrieved by a final decision in a contested case under the UAPA is entitled to judicial review under the UAPA, which is the only available method of judicial review. Prior law provided that:

(1) Proceedings for review are instituted by filing a petition for review in the chancery court of Davidson County, unless another court is specified by statute; and

(2) (A) A person who is aggrieved by a final decision of the department of human services or the department of children's services in a contested case may file a petition for review in the chancery court located either in the county of the official residence of the appropriate commissioner or in the county in which any one or more of the petitioners reside;

(B) A person who is aggrieved by the final determination of a hearing officer or local board of education in a special education hearing may file a petition for review in the chancery court of Davidson County or, alternatively, in the county in which the petitioner resides; and

(C) A person who is aggrieved by any final decision of the Tennessee public utility commission, or by a final decision of the state board of equalization in a contested case involving centrally assessed utility property must file any petition for review with the middle division of the court of appeals.

Public Chapter 1021 rewrote the provisions in item (1) above to instead provide the following:

(1) Proceedings for review must be instituted in chancery court;

(2) Except as provided in the current law described in item (2) above, venue for appeals of contested case hearings must be in the chancery court nearest to the place of residence of the person contesting the action, or alternatively, at the person's discretion, in the chancery court nearest to the place where the cause of action arose, or in the chancery court of Davidson County; and

(3) Petitions for appeals of contested case hearings involving TennCare determinations must be in the chancery court of Davidson County.

Public Chapter 1021 took effect July 1, 2018.

APPENDIX "I"

SHORT-TERM RENTALS

Public Chapter 972 enacted the Short-Term Rental Unit Act; and revised a provision of prior law regarding short term rentals, as discussed below.

SHORT-TERM RENTAL ACT

For purposes of Public Chapter 972, "short-term rental unit" means a residential dwelling that is rented wholly or partially for a fee for a period of less than 30 continuous days and does not include a hotel, bed and breakfast establishment, or bed and breakfast homestay.

Public Chapter 972 specifies that any ordinance, resolution, regulation, rule, or other requirement of any type that prohibits, effectively prohibits, or otherwise regulates the use of property as a short-term rental unit will not apply to property if the property was being used as a short-term rental unit by the owner of the property prior to the enactment of the ordinance, resolution, regulation, rule, or other requirement by a local governing body. An ordinance, resolution, regulation, rule, or other requirement in effect at the time the property began being lawfully used as a short-term rental unit is the law that governs the use of the property as a short-term rental unit until the property is sold, transferred, ceases being used as a short-term rental unit for a period of 30 continuous months, or has been in violation of a generally applicable local law three or more separate times as further discussed below.

Public Chapter 972 includes an exemption to the above-described provisions that allows any ordinance, resolution, regulation, rule, or other requirement of any type enacted prior to January 1, 2014, that prohibits or effectively prohibits the use of property as a short-term rental unit, to apply to any property within a local governing body's jurisdiction, regardless of the property's existing use. However, the exemption:

- (1) Only applies to ordinances, resolutions, regulations, rules, or other requirements that expressly limit the period of time a residential dwelling may be rented; and
- (2) Does not apply to ordinances, resolutions, regulations, rules, or other requirements that generally prohibit commercial activity or the renting of residential dwellings to transients.

Public Chapter 972 does not prevent a local governing body from prohibiting the continued use of property as a short-term rental unit if, as a direct result of the operation of the short-term rental unit:

- (1) The unit has been in violation of an ordinance, resolution, regulation, rule, or other requirement of any type other than zoning enacted, maintained, or enforced by a local governing body that applies to all property or use of all property and does not apply only to property used as a short-term rental unit (a "generally applicable local law") three or more separate times; and
- (2) The provider has no appeal rights remaining for any of the three violations.

The burden of proof that a violation of a generally applicable local law was a direct result of the operation of the short-term rental unit is on the local governing body.

As used in Public Chapter 972, "provider" means any person engaged in renting a short-term rental unit and includes an owner of a residential unit that is made available through a vacation lodging service. Under current law, a "vacation lodging service" means any person that engages in the business of providing the services of management, marketing, booking, and rental of residential units owned by others as sleeping accommodations furnished for pay to transients or travelers staying no more than 14 days. Vacation lodging services must have a vacation lodging service firm license.

Public Chapter 972 allows local governing bodies to authorize short-term rental units through a permitting or application process. A local governing body that authorizes short-term rental units through a permitting or application process may suspend the continued use of property as a short-term rental during the time that the unit does not maintain a permit or approved application if the permitting or application requirements are reasonable. Any local governing body that accepts public complaints regarding the operation of short-term rental units in its jurisdiction pursuant to a permitting or application process must assure that all complainants are notified that any false complaint made against a short-term rental unit provider are punishable as perjury.

Public Chapter 972 specifies that if a local governing body prohibits, effectively prohibits, or otherwise regulates the use of property as a short-term rental unit, the provider has the right to challenge the prohibition, regulation, suspension, or regulation as in conflict with Public Chapter 972 through a civil action or appeal. The circuit or chancery court has jurisdiction of any appeal instituted by a provider and review is de novo.

Public Chapter 972 does not prohibit:

(1) A condominium, co-op, homeowners association, or other similar entity from prohibiting or otherwise restricting an owner of property within the jurisdiction of the condominium, co-op, association, or other similar entity from using the owner's property as a short-term rental unit as provided for in the entity's governing documents;

(2) A lessor, through the terms of a lease agreement, from restricting the use of the leased property as a short-term rental unit; or

(3) A property owner from placing a restrictive covenant or easement on the property that restricts the future use of the property as a short-term rental unit as authorized under existing law.

Public Chapter 972 specifies that the Short-Term Rental Unit Act supersedes any ordinance, resolution, regulation, rule, or other requirement of any type enacted, maintained, or enforced by a local governing body that is in conflict with the Act's provisions.

DEFINITION OF HOTEL

Public Chapter 972 clarifies that a short-term rental unit is not considered a "hotel" under the Hotel and Public Swimming Pool Inspection Act.

EFFECTIVE DATE

Public Chapter 972 took effect May 17, 2018.

APPENDIX "J"
SANCTUARY POLICIES

Public Chapter 973 revises prohibitions against local government action to interfere with the enforcement of federal immigration laws and extends those prohibitions to state government entities.

PRESENT LAW (Effective until January 1, 2019)

Present law prohibits local government entities from adopting any ordinance or written policy that expressly prohibits a local government entity, official, or employee from complying with applicable federal law pertaining to persons who reside in Tennessee illegally. Present law also prohibits local government officials from materially interfering with the ability of a local government entity, official, or employee to comply with applicable federal law pertaining to persons who reside in Tennessee illegally.

Present law authorizes any person who believes that a violation of a prohibition against local government activity that affects enforcement of immigration law occurred to file a complaint in chancery court. If the complainant proves by a preponderance of the evidence that a violation has occurred, then the court may issue a writ of mandamus against the local government entity, enjoin the official from further interference, or take such other action to ensure compliance as is within the court's jurisdiction. Any local government entity or official who is found to have committed a violation has at least 90 days, but no more than 120 days, from the date of the court's order to comply with such order before the court is authorized to take additional action to enforce compliance.

THIS ACT

Public Chapter 973 replaces the present law prohibitions against local government activity that interferes with enforcement of federal immigration laws with a prohibition against any state or local government or entity or official adopting or enacting a sanctuary policy. "Sanctuary policy" includes policies that:

- (1) Hinder communication and cooperation between state or local government and the federal government to verify or report an alien's immigration status;
- (2) Authorize illegal aliens to remain in Tennessee;

(3) Violate federal law by prohibiting the exchange or maintenance of citizenship information by government entities;

(4) Interfere with the ability of state or local government entities to detain and transfer aliens to the department of homeland security;

(5) Require the department of homeland security to obtain a warrant or demonstrate probable cause before complying with a request to detain and transfer an alien to the department; or

(6) Prevent law enforcement from inquiring into citizenship or immigration status.

Under Public Chapter 973, a state or local government entity that adopts a sanctuary policy will be ineligible to enter into any grant contract with the department of economic and community development until the policy is repealed, rescinded, or otherwise no longer in effect.

Public Chapter 973 retains the present law authorization for residents to file a complaint in chancery court, although that complaint will now be based on adoption or enactment of a sanctuary policy. If a resident prevails, the chancellor will be required, rather than authorized, to order some type of action to ensure compliance with the prohibition against sanctuary policies. In a citizen suit against a government entity or official alleging a violation of Public Chapter 973, if the court finds that a state governmental entity or official adopted or enacted a sanctuary policy, the state governmental entity, or the entity to which the official belongs, becomes ineligible to enter into any grant contract with the department of economic and community development. Ineligibility to enter a grant contract commences on the date the court finds that the state governmental entity or official is in violation and continues until such time that the court certifies that the sanctuary policy is repealed, rescinded, or otherwise no longer in effect.

Public Chapter 973 specifies that law enforcement agencies and officials are authorized, in accordance with federal law, to communicate with a federal official regarding the immigration status of any individual, including reporting knowledge that a particular alien is not lawfully present in the United States or otherwise to cooperate with the appropriate federal official in the identification, apprehension, detention, or removal of aliens not lawfully present in the United States.

Public Chapter 973 authorizes law enforcement agencies to negotiate the terms of a memorandum of agreement (MOA) between the law enforcement agency and the appropriate federal official, concerning the enforcement of federal immigration laws. Any MOA negotiated pursuant to Public Chapter 973 must be entered into in accordance with federal law. Public Chapter 973 requires law enforcement agencies to require that each officer they employ be trained in accordance with the MOA concerning the law enforcement officer's role in enforcing federal immigration laws. Each law enforcement agency will be

required to negotiate the MOA to allow for the enforcement of federal immigration law to the full extent permitted under federal law. When a law enforcement enters into, renews, modifies, or terminates an MOA, the law enforcement agency must provide notice of such action to the governor, the office of the lieutenant governor who shall transmit the notice to the members of the senate, and the office of the speaker of the house of representatives who shall transmit the notice to the members of the house of representatives.

Public Chapter 973 must be implemented in a manner consistent with federal laws regulating immigration, protecting the civil rights of all persons, and respecting the privileges and immunities of United States citizens. In complying with the requirements of Public Chapter 973, no law enforcement officer shall consider an individual's race, color, or national origin, except to the extent permitted by the United States or Tennessee constitution, and federal law.

Public Chapter 973 takes effect January 1, 2019, without the signature of the governor.

APPENDIX "K"

TAXATION

Public Chapter 1011 adds to and revises tax law, as follows:

(1) In regard to computing net earnings and net loss under excise and franchise tax law, effective for tax years beginning on or after January 1, 2020, Public Chapter 1011 decouples Tennessee from provisions of the Tax Cut and Jobs Act of 2017 which limit the amount of interest allowed as a deduction to 30 percent of the adjusted taxable income, and replaces it with the provisions of § 163(j) of the Internal Revenue Code of 1986, as it existed and applied prior to enactment of the Tax Cut and Jobs Act of 2017;

(2) In regard to computing net earnings and net loss under excise and franchise tax law, effective for tax years beginning on or after January 1, 2017, Public Chapter 1011 decouples Tennessee from provisions of the Tax Cut and Jobs Act of 2017 which include certain contributions to capital in Federal gross income, and replaces it with § 118 of the Internal Revenue Code, as it existed and applied prior to enactment of the Tax Cut and Jobs Act of 2017;

(3) Public Chapter 1011 adds that a unit of local government receiving tax information for the purpose of ascertaining whether proper local taxes or the business tax has been may disclose to a contractor or consultant the name, address, and situs of one or more taxpayers for the purpose of ascertaining whether allocations of state and local taxes are being distributed to the correct unit of local government. Such information must not include the taxpayer's returns, receipts, income, tax liability, tax payments, or other financial information. No consultant or contractor of a unit of local government who receives such tax information may disclose such information to any other person. Any consultant or contractor of a unit of local government who has or has had, at any time, access to any tax information under Public Chapter 1011 is subject to existing penalties and restrictions applicable to an officer or employee of the state; and

(4) Public Chapter 1011 extends from June 30, 2023 to June 30, 2028 the termination date for allocation of state sales tax revenue to municipalities under the former Courthouse Square Revitalization Pilot Project Act of 2005.

Except as noted above, the provisions of Public Chapter 1011 took effect on May 21, 2018.

APPENDIX "L"

JUVENILE JUSTICE REFORM

Public Chapter 1052 enacted the "Juvenile Justice Reform Act of 2018", which revised various statutes regarding juvenile justice. This Appendix discusses the significant changes and additions to law that were made by Public Chapter 1052, although the full text of Public Chapter 1052 also makes numerous technical changes and clarifications that are not discussed in this Appendix. Public Chapter 1052 states the legislative intent that improvements to the juvenile justice system and expansion of community-based resources for justice-involved children be prioritized, including, but not limited to, evidence-based programs, informal adjustment, diversion, home placement supervision, statewide data collection, early intervention programs and services for children and families, and mental health services, especially in any county underserved with such programs and services.

General Provisions Concerning Juvenile Courts and Proceedings:

Current law specifies six public purposes that the law concerning juvenile courts and proceedings must be construed to effectuate. Public Chapter 1052 added as a seventh public purpose the provision of developmentally appropriate interventions based on scientific research in related fields.

Public Chapter 1052 made several changes and additions to definitions. Public Chapter 1052 added to the definition of "detention" to clarify that the term refers to temporary detention, instead of detention of an unspecified duration. Public Chapter 1052 changed the definition of "probation" to replace the requirement that probation methods be directed to the discovery and correction of the basic causes of maladjustment with a requirement that the casework services constituting probation conform to statutory requirements. Public Chapter 1052 added definitions for "evidence-based," "financial obligations," "positive behavior," "preliminary inquiry," "seclusion," "significant injury," and "validated risk and needs assessment."

Preliminary Inquiry:

Under prior law, a probation officer or other officer designated by the court received and examined complaints and charges of delinquency, unruly conduct or dependency and neglect of a child for the purpose of considering the commencement of proceedings. Public Chapter 1052 instead requires a probation officer or other officer designated by the court to:

(1) Receive and examine complaints and charges of delinquency or unruly conduct and conduct a preliminary inquiry; and

(2) Receive and examine complaints of dependency and neglect of a child for the purpose of considering the commencement of proceedings.

Public Chapter 1052 made corresponding changes in other provisions, requiring a probation officer or other person assigned by the court to conduct a preliminary inquiry when a child alleged to be delinquent or unruly is brought before the court.

Informal Adjustment Without Adjudication:

Under current law, before or after a petition is filed, a designated court officer may informally resolve a complaint containing delinquent or unruly allegations without adjudication by giving counsel and advice to the child if such informal resolution would be in the best interest of the public and the child, and the child and the child's parents, guardian, or other custodian consent to the informal adjustment with knowledge that consent is not obligatory. The informal adjustment may not extend beyond three months from the day commenced, unless extended by the court, and does not authorize the detention of the child if not otherwise permitted by law. Public Chapter 1052 added a six-month limitation to the informal adjudication. Public Chapter 1052 also added the following:

(1) If the child and the victim agree to restitution, such restitution may be paid independently of informal adjustment, but financial obligations may not be assessed or collected against a child as part of an informal adjustment; and

(2) No admission may be required as part of informal adjustment or pretrial diversion, and any statements made by the child during the preliminary inquiry, informal adjustment, or pretrial diversion are not admissible prior to a disposition hearing.

Public Chapter 1052 specifies that the filing of a petition when a child alleged to have committed a delinquent or unruly act is brought before the court or brought to a detention facility and not released does not preclude an informal adjustment.

Detention:

Effective July 1, 2019, Public Chapter 1052 specifies that detention must be used only for those circumstances expressly authorized by present law, as amended by Public Chapter 1052, and

must not be ordered as a disposition upon a finding that a child is unruly or delinquent, and neither a child nor that child's attorney may waive the detention-related prohibitions of those provisions, including as part of any pre-adjudication agreements.

In accordance with the above, Public Chapter 1052 revises various provisions of present law.

Under current law, a probation officer or other officer designated by the court takes into custody and detains a child who is under such probation officer's supervision or care as a delinquent, unruly, or dependent and neglected child if the probation officer, or other designated officers of the court, have reasonable cause to believe that the child's health or safety is in imminent danger, or that such child may abscond or be removed from the jurisdiction of the court, or when ordered by the court. Public Chapter 1052 added that such child may be placed in detention only as authorized by and in accordance with statutory custody and detention provisions.

Public Chapter 1052 also:

(1) Prohibits the use of seclusion for punitive purposes pre-adjudication or post-adjudication for any child in a facility pursuant to the detention provisions;

(2) Requires the court to minimize the use of detention between adjudication and disposition; and

(3) Prohibits postponing or continuing a dispositional hearing due to there being a waitlist for a suitable placement, unless the child and, if applicable, the child's attorney, agree in writing to the postponement or continuance.

Custody:

Under current law, a person taking a child into custody must within a reasonable time:

(1) Release the child to such child's parents, guardian or other custodian upon a promise by such person or persons to bring the child before the court when requested by the court unless such child's detention or shelter care is warranted or required; or

(2) Bring the child before the court or deliver such child to a detention or shelter care facility designated by the court or to a medical facility if the child is believed to suffer from a serious physical condition or illness that requires prompt treatment.

Public Chapter 1052 added that a law enforcement officer who has taken a child into custody for the commission of an offense that would be considered a misdemeanor if committed by an adult may, in that officer's professional discretion, issue a citation in lieu of continued custody of the child. In issuing such a citation, the officer must:

- (1) Prepare a written citation, which must include the name and address of the cited child, the offense charged, and the time and place of appearance;
- (2) Have the child sign the original and duplicate copy of the citation. The officer must deliver one copy to the child and retain the other; and
- (3) Release the cited child from custody.

If the law enforcement officer determines that issuing a citation is appropriate but that circumstances surrounding the issuance of a citation indicate an immediate risk to the safety of the child, the officer must make efforts to contact a parent, guardian, or legal custodian of the child to retrieve the child in lieu of or prior to taking the child into custody.

Subject to the approval of the juvenile court, Public Chapter 1052 authorizes municipal and metropolitan police departments or sheriff's departments to create and administer juvenile diversion programs to address citable juvenile offenses without court involvement. Each program must be developed in consultation with the juvenile court, local school districts, and other community stakeholders, and is subject to the same conditions and limitations as informal adjustment.

DCS Custody:

Generally under current law, an order of the juvenile court committing a delinquent child to the custody of the department of children's services is for an indefinite time and the department may place the child in a suitable state institution, foster home, or group home, or the department may purchase services from any agency, public or private, that is authorized by law to receive or provide care or services for children.

The law in effect until July 1, 2019, requires the commissioner of children's services to prescribe procedures whereby the child's treatment, rehabilitation and progress are reviewed quarterly and a recommendation for or against home placement or discharge is made to the commissioner or the commissioner's designee at least semiannually. Public Chapter 1052 changes the review frequency from quarterly to monthly and the minimum frequency of the

recommendations from semiannually to quarterly. Also, Public Chapter 1052 adds a general requirement that a delinquent child committed to the custody of the department for an indefinite time must be discharged or placed on home placement supervision after a maximum of six months, excluding any amount of time that a child is absent from placement for whatever reason, unless:

- (1) The treatment and rehabilitation of the child require that the child remain in custody beyond six months to complete an evidence-based program in a custodial setting addressing a treatment need identified by a validated risk and needs assessment;
- (2) The child is alleged to have committed a new delinquent act; or
- (3) The child is alleged to be an escapee from a secure juvenile facility or institution.

Under the law in effect until July 1, 2019, DCS may file a petition alleging a violation of home placement supervision if there is reasonable cause to believe the child has committed such a violation. Public Chapter 1052 requires that prior to a petition being filed there must be attempts to address noncompliant behavior and documentation of the reasons for which court intervention is needed to address the noncompliance; or a new petition alleging the child has committed a new delinquent offense or habitual and unlawful absence from school must have been filed. Similarly, in regard to the current law provision authorizing detention for a violation, Public Chapter 1052 specifies that such detention must be in accordance with the statutory detention provisions. The law in effect until July 1, 2019, provides that the child may not be taken into custody until the court finds a violation has occurred. Public Chapter 1052 specifies that such detention must be based on an adjudication of delinquency for a new offense that meets the eligibility criteria for commitment to the department. Under the law in effect until July 1, 2019, no such court permission is required during a trial home pass and the department is authorized to remove the child from the home. Public Chapter 1052 limits this provision for removal to situations where the child cannot be located by the designee after documented efforts to locate the child or a new petition has been filed alleging the child has committed a delinquent offense arising from a separate incident from the original petition.

Public Chapter 1052 requires the court to schedule a hearing within seven days of the petition regarding a violation of home placement. Under the law in effect until July 1, 2019, if a sufficiently serious violation is found, the court must order that the child be recommitted to the department. Public Chapter 1052 makes such recommitment discretionary when the court finds a violation occurred because the child has been adjudicated for a new delinquent offense eligible for commitment to the department.

If the court finds that a violation occurred but the child has not been adjudicated for a new delinquent offense that is eligible for commitment to the department, then the court may modify conditions of home placement consistent with the results of a validated risk and needs assessment but will not order that the child be re-committed to the department or otherwise remove the child

from the child's home, including the home of a parent, guardian, or other legal custodian, unless the court finds by clear and convincing evidence that the child is in imminent risk of danger to the child's health or safety and needs specific treatment or services that are available only if the child is placed in the custody of the department. A child placed in the custody of the department under the foregoing provision must remain in custody so long as necessary to complete the treatment or services, but shall remain in custody no longer than six months; provided, that the court may order that the child remain in custody for up to an additional six-month period if the court makes certain findings after a hearing or stipulation.

The provisions of Public Chapter 1052 concerning DCS custody take effect July 1, 2019.

Bond:

Under current law, when a child alleged to have committed a delinquent or unruly act is brought before the court or brought to a detention facility, the court may release the child on an appearance bond. Public Chapter 1052 added authorization for courts to release a child on the child's own recognizance subject to a written agreement to appear in court.

Petitions Filed by School Personnel:

Public Chapter 1052 added the following to the current law provisions governing petitions:

(1) School personnel may file a juvenile petition against a student receiving special education services only in accordance with the manifestation determination requirements of current education law;

(2) Absent serious threats to school safety or exceptional circumstances in the judgment of a law enforcement officer, when a delinquency or unruly petition is filed by school personnel based upon acts committed on school grounds or at a school-sponsored event, information must be included in the petition that shows that:

(A) School personnel have sought to resolve the problem through available educational approaches; and

(B) Court intervention is needed in the judgment of the petitioner.

Public Chapter 1052 also requires school personnel to seek to engage parents, guardians, or legal custodians in resolving the child's behavior before filing a petition where appropriate under the circumstances.

Summons and Attachment:

Under current law, after a petition has been filed, the clerk schedules a time for a hearing and issues summons to the parties. In case the summons cannot be served or the party served fails to obey the same, and in any case where it is made to appear to the court that such summons will be ineffectual, an attachment may issue, on the order of the court, against the: parent or guardian; person having custody of the child; person with whom the child may be; or child.

Public Chapter 1052 limits an attachment in cases involving a violation of conditions or limitations of probation, home placement supervision, or diversion to situations where:

- (1) The child poses a significant likelihood of significant injury to another person or significant likelihood of damage to property;
- (2) The child cannot be located by the supervising person, persons, or entity after documented efforts to locate the child by the supervising person, persons, or entity; or
- (3) The child fails to appear for a court proceeding.

If the child has an attorney of record, Public Chapter 1052 requires that the attorney must be served with any attachment request made to the court.

Fees, Fines, and Costs:

Public Chapter 1052 prohibited the imposition of financial obligations against a child in a delinquent or unruly case, including in any order of disposition, though this does not affect the assessment of restitution. As discussed below, Public Chapter 1052 made changes throughout prior law to effectuate this mandate.

Public Chapter 1052 provides that courts may order parents, legal custodians, or guardians to pay financial obligations and that restitution to any victim must be prioritized over all financial obligations. Public Chapter 1052 also provides that failure to pay or timely pay any financial

obligations or restitution assessed to the child or the child's parents, guardian, or legal custodian will not serve as a sole basis for continued court jurisdiction over or supervision of a child, nor will it serve as a basis for placement in the custody of the department or other removal of the child from the child's home, including the home of a parent, guardian, or legal custodian, for any length of time.

Public Chapter 1052 requires the court to consider the child's parents, legal custodians, or guardians' financial ability to pay in determining the amount of any financial obligations incurred or assessed by the state or county. The court may decline to assess financial obligations if the court determines that assessment would pose financial hardship to the parents, legal custodians, or guardians. Public Chapter 1052 prohibits the referring of any financial obligation to a collection service.

In accordance with the above, Public Chapter 1052 revised various provisions of current and prior law.

Prior law required, when the court appointed counsel or a guardian ad litem, the assessment of a an administrative fee in the amount of \$50.00, which could be increased up to \$200 based on a finding of financial ability to pay, against the child or the child's parents, legal custodians, or guardians, or adult defendant or respondent; provided, that the fee had to waived by the court upon a finding of lack of financial resources sufficient to pay the fee. Public Chapter 1052 retained the administrative fee but clarified that the assessment of the fee is discretionary instead of mandatory, removed the provision for assessment against the child, and removed a prior law provision whereby willful failure to pay the fee could be weighed by the court when determining appropriate disposition of the case.

Public Chapter 1052 added the comptroller to the list of persons that receive the clerk's monthly report regarding collection of the administrative fees.

Current law authorizes the imposition of a fine of \$50.00 when a child violates a traffic law or ordinance. Public Chapter 1052 specifies that the fine must be imposed against the child's parent or legal guardian instead of the child.

Public Chapter 1052 removed authority under prior law for the court to direct a child to pay costs for representation, but retained the court's discretion to impose those costs on the child's parent, guardian, or custodian.

Judicial Diversion:

Under present law, if a child alleged to be delinquent or unruly enters a plea of guilty or no contest, the court may defer further proceedings and place the child on probation "upon such reasonable conditions as it may require" without entering a judgment of guilty and with the consent of the child. Effective July 1, 2019, Public Chapter 1052 adds the following:

(1) Reasonable conditions of probation may include completion of substance abuse and mental health treatment services where appropriate;

(2) For delinquent offenses, such reasonable conditions must be consistent with a validated risk and needs assessment; and

(3) Probation under pretrial diversion may include temporary transfer of legal custody or permanent guardianship to a relative or other individual with a relationship with the child in accordance with provisions added by Public Chapter 1052.

Under present law, a judicial diversion agreement remains in force for a maximum of six months unless the child is discharged sooner by the court. Upon application of any party to the proceedings, made before expiration of the six-month period and after notice and a hearing, judicial diversion may be extended by the court for an additional six months. Effective July 1, 2019, Public Chapter 1052 limits authorization to extend judicial diversion to situations where the court finds and issues a written order that it is in the best interest of the child and specifies the condition or conditions that shall remain in effect and why that continued effectiveness is in the best interest of the child.

Effective July 1, 2019, Public Chapter 1052 adds that, if the supervising authority finds that the child has violated the terms or conditions of judicial diversion, the supervising authority may file a petition alleging a violation of the terms or conditions of judicial diversion with the court; provided, that the court, in its discretion, may direct the supervising authority that, in some or all circumstances, such a petition should be filed only if the supervising authority makes and documents attempts to address the noncompliant behavior and determines and documents the reasons for which court intervention is needed to address the noncompliance.

Disposition for Delinquency/Probation/Commitment:

Public Chapter 1052 revises the present law provisions governing the orders of disposition the court may make when a child is found to be a delinquent child:

(1) Public Chapter 1052 replaces the reference back to the dispositions for dependent and neglected children as options for disposition for delinquency with authorization for a court to transfer temporary legal custody or grant permanent guardianship to any relative or other individual with a relationship with the child who is found by the court to be qualified to receive and care for the child, if the court finds that such a transfer or grant is in the best interest of the child. Public Chapter 1052 also removes as a disposition the assessment of a fine not to exceed \$50.00 for each offense that constitutes a violation of a state law or municipal ordinance;

(2) Public Chapter 1052 specifies in regard to the disposition of placing the child on probation that the court will consult with the supervising authority in imposing the conditions of probation and such condition will be consistent with a validated risk assessment;

(3) Public Chapter 1052 creates a maximum probation period of six months, subject to extension by the court based on judicial findings and a court order similar to that required for extension of a period of judicial diversion under Public Chapter 1052;

(4) Public Chapter 1052 adds authorization for a supervising authority to file a petition alleging a violation of the conditions or limitations of probation with the court under conditions similar to those required for petitions alleging a violation of judicial diversion;

(5) Public Chapter 1052 adds that if the court finds that no violation has occurred, the child will be allowed to resume the former conditions of probation or probation may be terminated;

(6) Under present law, if, in a subsequent proceeding, the court finds the child has violated any of the conditions or limitations of probation, the court may make any disposition which would have been permissible in the original proceeding. Public Chapter 1052 revises this provision to instead specify that the court may modify conditions consistent with the results of a previously administered validated risk and needs assessment, including transferring temporary legal custody or granting permanent guardianship or a relative or other qualified individual having a relationship with the child. The court may not order a child placed in the custody of the department for a violation of the conditions or limitations of probation unless:

(A) The child is separately adjudicated dependent or neglected and placed accordingly;

(B) The child is separately adjudicated delinquent and placed accordingly for an eligible delinquent offense arising out of a subsequent criminal episode other than the offense for which the child was originally placed on probation; or

(C) The court finds by clear and convincing evidence that the child is in imminent risk of danger to the child's health or safety and needs specific treatment or services that are available only if the child is placed in the custody of the department;

(7) Present law allows the disposition of placing the child in an institution, camp, or other facility for delinquent children operated under the direction of the court or other local public authority. Public Chapter 1052 rewrites this provision to instead authorize ordering the child to participate in programming at a non-residential facility for delinquent children operated under the direction of the court or other local public authority;

(8) Present law authorizes the disposition of committing the child to the department of children's services, which commitment may not extend past the child's 19th birthday. Public Chapter 1052 adds that the child is presumed to be ineligible for commitment to the department unless:

(A) The current offense for which the child has been adjudicated delinquent and is subject to disposition would be considered a felony if committed by an adult;

(B) The current offense for which the child has been adjudicated delinquent and is subject to disposition would be considered a misdemeanor if committed by an adult and the child has previously been adjudicated delinquent for two or more offenses arising from separate incidents that would constitute either a felony or misdemeanor if committed by an adult, including such adjudications in other jurisdictions; or

(C) The court finds by clear and convincing evidence that the child is in imminent risk of danger to the child's health or safety and needs specific treatment or services that are available only if the child is placed in the custody of the department;

(9) Present law authorizes the disposition of committing the child to the custody of the county department of children's services in those counties having such a department. Public Chapter 1052 specifies that such commitment may only be made if the child is eligible for commitment to the department of children's services;

(10) Current law authorizes the disposition of ordering the child to perform community service work. Public Chapter 1052 prohibits the court from ordering a child placed in the custody of the department or otherwise removing the child from the child's home, including the home of a parent, guardian, or other legal custodian for any length of time, for failure to complete community service work or satisfy conditions associated with community service work as ordered by the court;

(11) Under current law, the court determines if any monetary damages actually resulted from the child's delinquent conduct. Upon a determination that monetary damages resulted from such conduct, the court must order the child to make restitution for such damages unless the court further determines that the specific circumstances of the individual case render such restitution, or a specified portion thereof, inappropriate. Public Chapter 1052 additionally requires the court to identify whether a restorative justice program addressing loss resulting from a delinquent act is available and may be utilized appropriately in the place of financial restitution. Any financial obligations or restitution assessed against the child or the child's parents, legal custodians, or guardians will be considered collectively with community service work to ensure that the order of disposition is reasonable and, where applicable, prioritizes restitution to the victim. In determining whether an order of disposition is reasonable, the court may consider whether the child and the child's parents, legal custodians, or guardians have the ability to complete the requirements of the order within six months;

(12) Public Chapter 1052 authorizes conversion of restitution to a civil judgment when the court determines that discharge of a case is appropriate;

(13) Public Chapter 1052 prohibits the referral of restitution to collection services; and

(14) Public Chapter 1052 limits the ordering of limitations or conditions on school attendance for a juvenile adjudicated delinquent to those situations where the juvenile was

adjudicated of one of the violent personal offenses specified in current law (e.g., murder; kidnapping; sexual assault; aggravated robbery).

The changes described in (1)-(9) take effect July 1, 2019. The changes described in (10)-(14) took effect July 1, 2018.

Unruly Child Disposition:

Public Chapter 1052 replaces present law authorization for courts to assess a fine of up to \$50.00 for each offense that an unruly child commits with authorization for courts to order restitution in cases where a child is found to be unruly.

Public Chapter 1052 adds to present law concerning the prerequisites for a court to commit an unruly child to the department. Under Public Chapter 1052, the child must have previously been adjudicated for two or more offenses arising from separate incidents that would constitute an unruly offense, or a felony or misdemeanor if committed by an adult, including adjudications in other jurisdictions that, if committed in this jurisdiction, would constitute a felony or misdemeanor. Public Chapter 1052 adds provisions concerning the burden of proof for committing an unruly child to the department, and the maximum duration of such commitment, that are the same as the provisions concerning such matters that apply to commitment of delinquent children under Public Chapter 1052. Public Chapter 1052 also adds requirements for monthly review of the child's treatment, rehabilitation, and progress, and a quarterly recommendation for or against home placement or discharge.

Public Chapter 1052 creates a maximum supervision length of six months if the child is ordered to probation. Public Chapter 1052 also applies to probation for an unruly child the same provisions as described above in (3)-(6) under the provisions for probation in the case of a child found to be delinquent.

The foregoing provisions concerning disposition of a child found to be unruly take effect July 1, 2019.

Effective July 1, 2018, Public Chapter 1052 specifies that if a child is adjudicated unruly in whole or part for habitual and unlawful absence from school, it is the legislature's intent that any disposition of the court be oriented toward family services and those interventions that address educational barriers and the root causes of truancy.

Transfer:

Under prior law, a child 16 years of age or older who was charged with certain violent offenses such as murder or rape, could be transferred to adult court. Public Chapter 1052 revised this provision to allow the transfer of a child:

- (1) Less than 14 years of age if the offense involved is first or second degree murder, or attempted first or second degree murder;
- (2) 14 years of age or older or more but less than 17 years of age at the time of the alleged conduct and charged with the offense of first degree murder, second degree murder, rape, aggravated rape, rape of a child, aggravated rape of a child, aggravated robbery, especially aggravated robbery, aggravated burglary, especially aggravated burglary, kidnapping, aggravated kidnapping, especially aggravated kidnapping, commission of an act of terrorism, carjacking, or an attempt to commit any such offenses;
- (3) 16 years of age or more at the time of the alleged conduct and charged with the offense of robbery or attempt to commit robbery; or
- (4) 17 years of age or more at the time of the alleged conduct.

Public Chapter 1052 expresses the legislative intent that children not be transferred due to a lack of appropriate resources for effective treatment and rehabilitation in the juvenile justice system.

Assessment Reports:

Under current law, all reports and materials compiled by the Davidson County juvenile court in connection with an assessment report are confidential, not a public record, and may not be disclosed except in certain limited circumstances. Public Chapter 1052 authorized the juvenile court in any county to adopt those current law provisions regarding assessment reports that currently only apply in Davidson County.

Risk and Needs Assessment:

Public Chapter 1052 requires that a validated risk and needs assessment be used in all delinquent cases post disposition in making decisions and recommendations regarding

programming and treatment. Any risk and needs assessment tool that is adopted by a juvenile court or the department must periodically undergo a validation study to ensure that the risk and needs assessment is predictive of the risk of reoffending of the population on which the tool is being administered.

Under Public Chapter 1052, each delinquent child ordered to probation supervision as a disposition for delinquency or committed to the custody of the department must undergo a validated risk and needs assessment within seven days of the court's disposition, excluding nonjudicial days, to inform supervision level, referrals to programs and services, and case planning. In delinquent cases, the court may order that a risk and needs assessment be conducted prior to disposition, if there is written agreement from the child, the child's parent, guardian, or legal custodian, and, if applicable, the child's attorney. A child may undergo such a risk and needs assessment prior to disposition to identify specific factors that predict a child's likelihood of reoffending and, when appropriately addressed, may reduce the likelihood of reoffending, and the results of the risk and needs assessment must be provided to the court prior to or at the time of the disposition of the child.

The provisions of Public Chapter 1052 concerning risk and needs assessments take effect on July 1, 2019.

Individualized Case Plans and Behavior Responses:

Public Chapter 1052 requires that an individualized case plan be developed by the department or supervising authority for every child adjudicated for a delinquent or unruly offense. The case plan must be updated as appropriate and, in the case of a delinquent offense, must be informed by the results of a validated risk and needs assessment.

For any child ordered to probation supervision as a disposition for delinquency or unruliness, the supervising authority must develop and implement an individualized case plan in consultation with the child's parents, guardian, or legal custodian, the child's school, and other appropriate parties, and, for delinquent offenses, such plan must be based upon the results of a validated risk and needs assessment. Any person supervising probation must work with the child and the child's parents, guardian, or legal custodian, and other appropriate parties to implement the case plan following disposition.

Public Chapter 1052 specifies the minimum requirements for the case plan. Such requirements include identifying the actions to be taken to ensure future lawful conduct and compliance with the court's order of disposition and identifying the services to be offered and provided to the child and other appropriate parties. In the case of a child committed to the

department for a delinquent offense, the case plan must cover the child's period of commitment to the department as well as home placement supervision.

Public Chapter 1052 requires the department and each juvenile court providing supervision services to adopt a behavior response system that incorporates certain principles, which are described in the full text of Public Chapter 1052. Public Chapter 1052 requires all supervising authorities involved in the juvenile justice system and in administering behavior responses on probation, home placement supervision, diversion, or any other type of supervision to utilize the behavior response system, and requires supervising authorities to use the least restrictive behavior responses. Public Chapter 1052 requires that all violations and positive behaviors be documented in the child's individual case plan, including the type of violation or positive behavior, the response, and the results of the response.

The provisions of Public Chapter 1052 concerning individualized case plans and behavior responses take effect July 1, 2019.

Provider Performance Metrics:

Public Chapter 1052 requires the department to develop a system of performance-based metrics and incentives to use with the state institutions, foster and group homes, and any other entities, public or private, that are authorized by law to receive or provide care or services for children. Public Chapter 1052 provides that these metrics and incentives should encourage use of graduated responses, evidence-based programming, and a timeline of three to six months for successful program completion.

Report on Juvenile Justice Data Collection:

Effective May 21, 2018, Public Chapter 1052 requires the administrative office of the courts, the department of children's services, and the commission on children and youth to jointly submit a report addressing statewide data collection in the juvenile justice system, on or before January 1, 2019, to the governor, speaker of the senate, and speaker of the house of representatives. The full text of Public Chapter 1052 details the information to be covered by the report.

Report and Publishing of Juvenile Court Information

Current law requires the clerk of each juvenile court make a monthly report to the executive secretary of the council of juvenile and family court judges, which report includes such information as the council may require concerning cases handled by such court, including, but not limited to, informal adjustments, pretrial diversions, and all other dispositions made by the court. Prior law authorized the council to publish data and make such data available to properly concerned agencies and individuals, or to any person upon request; provided, that identifying data must be treated as confidential.

Public Chapter 1052 added that the monthly reports must include information concerning appointment of counsel. Public Chapter 1052 made the publication and making available of data by the council mandatory, rather than permissive, while maintaining the confidentiality requirement for identifying data.

"Evidence Based" Pilot Programs

Current law prohibits the department of children's services, and any other state agency that administers funds related to the prevention, treatment or care of delinquent juveniles, from expending state funds on any juvenile justice program or program related to the prevention, treatment, or care of delinquent juveniles, including any service model or delivery system in any form or by any name, unless the program is evidence-based. For purposes of such provision, prior law defined "evidence-based" to mean a program or practice that meets the following requirements:

- (1) The program or practice is governed by a program manual or protocol that specifies the nature, quality, and amount of service that constitutes the program; and
- (2) Scientific research using methods that meet high scientific standards for evaluating the effects of such programs must have demonstrated with two or more separate client samples that the program improves client outcomes central to the purpose of the program.

Public Chapter 1052 redefined "evidence-based" to mean policies, procedures, programs, and practices demonstrated by scientific research to reliably produce reductions in recidivism or has been rated as effective by a standardized program evaluation tool.

Tobacco and Vapor Products:

Prior law required a law enforcement officer or school principal to issue a citation to a minor who violates the ban on the purchase or possession of tobacco or vapor products. Public Chapter

1052 made the issuance of a citation discretionary instead of mandatory and removed the requirement for a school principal to issue a citation, thereby limiting such authorization to law enforcement officers.

Prior law required a court to impose a civil penalty of between \$10.00 and \$50.00 against the minor for a violation. Public Chapter 1052 made the imposition of the penalty discretionary instead of mandatory and provides for the imposition of the fine against the child's parent, guardian, or custodian, but not the minor.

Effective Date

Except as otherwise noted in this Appendix, Public Chapter 1052 took effect July 1, 2018.